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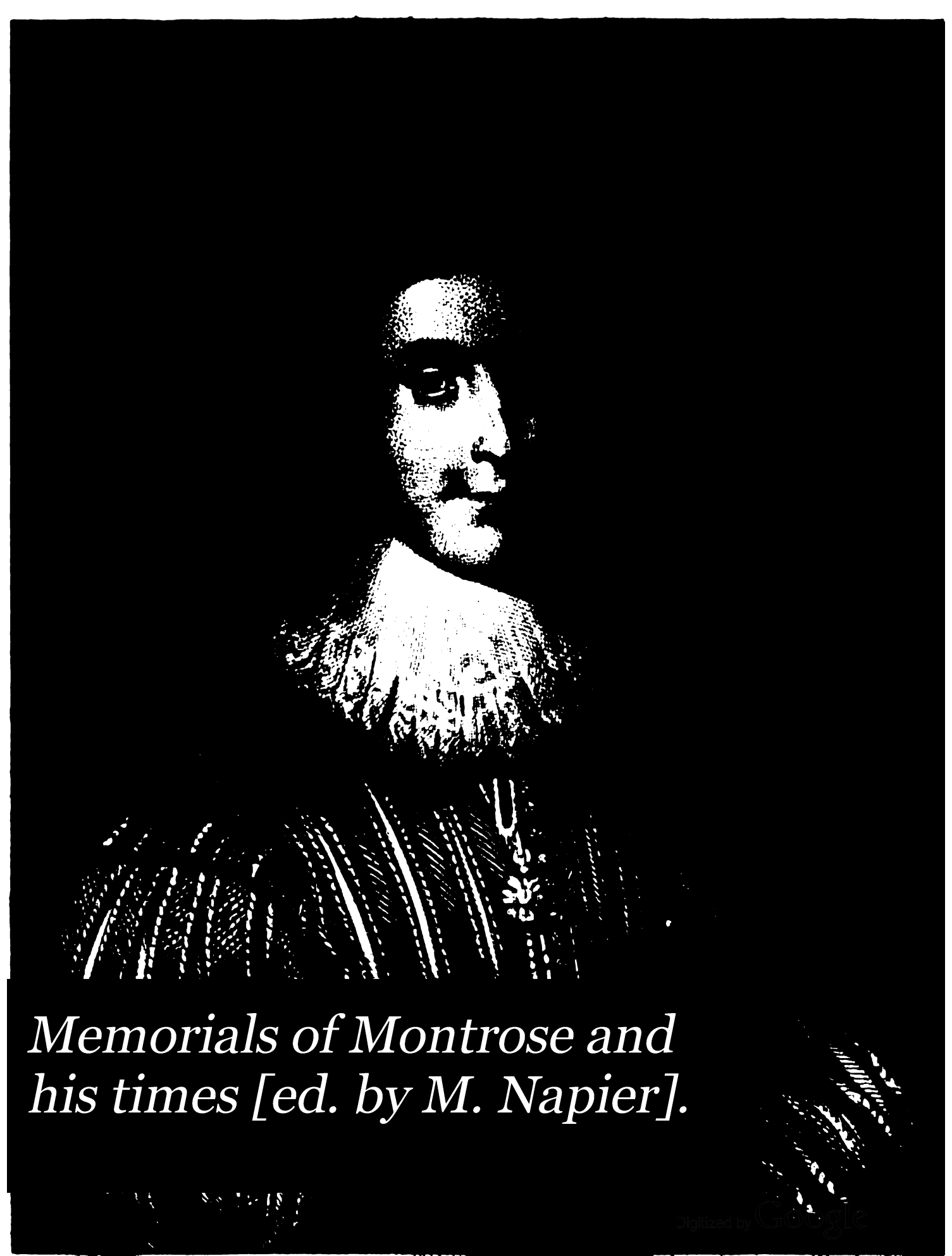

Memorials of Montrose and his times [ed. by M. Napier].

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MEMORIALS

OF

MONTROSE AND HIS TIMES.

Maitland Club.
Gb. 1.

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From the original in possession of the Right Honble the Earl of Southesk
[illegible]

Mountrose

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MEMORIALS

OF

MONTROSE AND HIS TIMES.

VOLUME THE FIRST.

EDINBURGH:
PRINTED FOR THE MAITLAND CLUB.
M.DCCC.XLVIII.

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GLASGOW, 12*th February* 1849.

At a Meeting of the COUNCIL of the MAITLAND CLUB,—
It was RESOLVED,

That the First Volume of the MEMORIALS OF THE MARQUIS OF MONTROSE, edited by MR NAPIER, being now completed, should be issued to the Members of the CLUB.

D. MACFARLAN, VICE-PRESIDENT.

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THE MAITLAND CLUB.

JANUARY M.DCCC.XLIX.

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MEMORIALS

OF

MONTROSE AND HIS TIMES.

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PREFACE.

Origin and Plan of these Memorials.

The first intention of these Memorials of Montrose was, simply, to preserve in a tangible form certain original papers referred to, or partially extracted, in two successive publications illustrative of his Life and Times,[1] but which suitable Appendices to those works were found inadequate to contain. These papers were part of the materials obtained from the

[1] Montrose and the Covenanters, their characters and conduct illustrated from private letters, and other original documents hitherto unpublished; in two volumes; London, 1838, Duncan.

The Life and Times of Montrose, illustrated from original manuscripts, including family papers now first published from the Montrose charter-chest and other private repositories; one volume, with portraits and autographs; Edinburgh, 1840, Oliver and Boyd.

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Origin and Plan of these Memorials.

Montrose and Napier charter-chests. They consisted of various letters to the great Marquis from different members of the royal family; some documents connected with his last unfortunate descent upon Scotland in the year 1650; and also the most important papers relating to the nefarious criminal process raised against him by the prevailing faction in 1641, for the purpose of crushing his conservative movement in favour of the Throne. While this plan was in contemplation, under the liberal auspices of the Maitland Club of Scotland, various new acquisitions came very unexpectedly into my possession, and from different quarters unconnected with each other. Twelve original letters from Montrose to his loyal though perverse rival Huntly, hitherto quite unknown, were most obligingly placed at my disposal by the Duke of Richmond. These all relate to the period of the hero's extraordinary exertions to restore the fortunes of the Standard in Scotland, in 1645, after the fatal disaster at Philiphaugh. Some interesting and important papers, including a *Remonstrance* by Montrose, written during the period between his last victory at Kilsyth and the defeat above mentioned, and which I discovered to be in the hand-writing of his friend and relative, Archibald first Lord Napier, were no less opportunely than unexpectedly contributed by an intelligent antiquary, Mr Mackinlay of Whitehaven. These documents had never been in possession of the Montrose or Napier families, and had remained in abeyance until now. Not to enumerate at present minor acquisitions—

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as all will be found duly acknowledged in the Introductions to the separate Parts of these Memorials—the Montrose Papers, found in the charter-chest of Sir James Carnegie of Southesk, the existence of which was also unknown until the other day, only came to light after some sheets of the Memorials had gone to press. Yet the papers last mentioned, which compose Part II. of the present volume, have added a new and most interesting chapter to the Life of Montrose, the history, namely, of his boyhood and education. To these rich acquisitions must be added the liberal and unreserved communication of Montrose papers belonging to the archives of the Honourable Mrs Stewart Mackenzie of Seaforth.

ORIGIN AND PLAN OF THESE MEMORIALS.

This accumulation of new materials, important not only to the biography of Montrose, but to the history of his times, has necessarily modified and extended the plan of the present work. It was found impossible to comprehend the whole in one volume of a practicable size, without sacrificing a portion of the collection which might afterwards require to be printed in a separate form. The idea readily occurred of digesting this mass of historical documents into two volumes of a chronological series, divided into Parts, each Part containing a separate Introduction and Appendix, and each illustrative of one of those various epochs which are distinctly marked in the career of Montrose. The series of papers and letters being wonderfully complete, and for the most part new, it was thought that, with the aid of these introductory sketches, and the con-

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Origin and Plan of these Memorials.

necting links of historical notes and illustrations, this work, instead of being merely a dry collection of antiquated documents, might assume the value and interest of a connected historical exposition, relating to a period of history which demands all the light that can be shed upon it, and to a public character in whose actual biography the limits between history and romance are lost and confounded. In the prosecution of this plan I have not hesitated to repeat, for the sake of connexion, a few of the letters and papers which had already appeared, for the first time, in one or other of my former publications on the subject of Montrose. In the present collection, however, these are given in the antiquated orthography of the originals, which was not suitable for general readers. Nor can I flatter myself that the publications alluded to have obtained a circulation so extensive as to detract much from the freshness of the materials. A good many letters from and to the great Marquis have from time to time been printed in an isolated form, without any historical illustration, and may be found, by those engaged in such researches, scattered here and there in publications little known, being thus divested of all connexion and value. I have thought it essential to the present plan that these should be re-collected, and find their proper places in this chronological series of the whole of his correspondence that is known to be extant.

The first volume of this somewhat arduous undertaking is now completed. It illustrates the biography of Montrose,

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and the history of his Times, from the close of the reign of James VI.—when our hero was a boy under the guardianship, principally, of one of the most upright and anti-factious of the confidential servants of that Monarch—to the commencement of the great civil war in the succeeding reign, when he cast from him the fetters of the dishonest Covenant, and performed a short quarantine in domestic retirement before entering upon his loyal career. Not in the pages of history, but in this volume, will be found a true and complete exposition of his whole conduct and motives of action, both in his adhesion to and disruption from the democratic movement. Moreover, it affords the only glimpse that has ever yet been obtained of Montrose in his youthful days; and the boy will be found a faithful index to the man.

Origin and Plan of these Memorials.

The second volume, for which the materials are already collected, will contain in chronological order all that has been recovered of Montrose's correspondence in the cause to which his whole energies, fortune, and life, were devoted, from the year 1642 when he escaped the persecution of the Covenant, to the year 1650 when his blood was shed under its merciless fiat. Many royal letters, to the most devoted of royalists, will find their place in this collection. The esteem in which he was held, for his high-minded and heroic conduct, by Charles I., Charles II., the Duke of York, Queen Henrietta Maria, the Queen of Bohemia, her son Prince Rupert, and other illustrious personages, will be verified under their own hands.

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Origin and Plan of these Memorials.

As the first volume affords a complete illustration of his patriotic principles, and the due limits which he assigned to his agitation in favour of the Religion and Liberties of his Country, so the second will display him in his heroic character, struggling to save the Throne from rampant democracy, until his meteor-like career is closed by a scene the details of which, no less thoroughly vouched than the rest of his eventful story, compose the very romance of martyrdom.

Portraits and Engravings of Montrose.

Another important result of these latest researches on the subject of Montrose, are some discoveries with regard to original portraits of him, which cannot fail to interest all readers. It was his fate to have been hitherto no less mistaken and obscured in the *physique* than in the *morale*. Various editions of Wishart's Commentaries, imperfectly translated, and rudely got up, had sent forth some paltry prints as frontispieces, in which all resemblance, and even individuality, disappears, and nothing is left but the rudest type of a warrior. Yet such of these as would seem to be contemporary with the subject have for the most part been filched from the volumes to which they originally belonged, and have entered the portfolios of collectors as rare contemporary engravings, and therefore to be relied upon as *likenesses*. The experience of an age infinitely advanced in the luxuries of book-making, and whose cheapest and most ephemeral productions can boast a far higher class of art than the prints in question belong to, might teach us how

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fallacious are contemporary engravings of heroes and statesmen appended to publications of no expensive character. These old stray prints, though some of them, probably, have been rudely and inaccurately derived from original portraits, are altogether worthless as a record of his personal appearance. From an intimate acquaintance with the most authentic portraits of Montrose, I am enabled to pronounce, that, among the many and various engravings which pretend to represent him, from Faithorn's, in those times, to the modern publications by Lodge, there is not one of any value as a faithful likeness of the man, or of the portrait copied, so far as I have been able to discover. Even that upon which the universal idea of him is founded, the gorgeously engraved head by Houbraken (1740), has lost the finest characteristics of the individual, displays a total ignorance of his peculiar expression, and his time of life, and has not only misrepresented, but essentially mistaken the history of, the portrait which it professes to represent.[1] That reliance should have been placed upon this production, of no mean pretensions as a work of art, and occurring in a splendid collection of great though unequal merit, was almost inevitable. It professes to be from a painting by Van Dyck in the possession of his Grace the Duke of Montrose. Here was a double guarantee. The

HOUBRAKEN'S ENGRAVED HEAD OF MONTROSE.

[1] The heads of illustrious persons of Great Britain, engraved by Mr Houbraken and Mr Vertue, with their Lives and Characters, by Thomas Birch, A.M., F.R.S. London, 1743. Folio.

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HOUBRAKEN'S ENGRAVED HEAD OF MONTROSE.

portrait in possession of the family could not fail to be the most authentic; and then Van Dyck, the prince of portrait painters, married, at the close of his life, Maria Ruthven, grand-daughter of the first Earl of Gowrie, and niece, consequently, to the mother of Montrose. Yet if Houbraken's head of Montrose were a faithful representation of the portrait at Buchanan House, and that portrait by the hand of Van Dyck, farewell to all sentiment on the subject of the romantic warrior's personal appearance. That stout elderly gentleman, as the Dutch engraver has represented him, wheezing under a load of armour, whose mass of crushed nose, and blubber-lips suggest the idea rather of an Esquimaux parentage than the lineaments of the Graham, and whose heavy cheek and jowl are only redeemed by the fine animation of the powerful eyes, might pass for some Van Tromp of the ocean, but surely not for the youthful soldier, who is said to have displayed 'a singular grace in riding,' and whose personal activity was so essential to his extraordinary feats.

I have before me no less than seven repetitions (and more might be collected) of this celebrated engraving, in a smaller size, executed by different hands at various times, for some ephemeral publications. In all of these the grossness of the Houbraken head is done ample justice to, while the slight degree of individuality, and resemblance to the subject, which the foreign artist had retained, fades away altogether under the hands of his humble imitators. Moreover, these trumpery

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HOUBRAKEN'S ENGRAVED HEAD OF MONTROSE.

engravings, which have served to propagate a very erroneous idea, not only of the subject, but of the original portrait which Houbraken had so grievously misunderstood, while they seem to have been all derived from the same prototype, exhibit, when in juxta-position, a most ludicrous variety of vulgar feature and coarse expression.

But to return to Houbraken. There are few, if any, of his heads which can be relied upon as faithful representations of the original portraits, for the reason assigned by Walpole in the Life of George Vertue, prefixed to his Catalogue of Engravers. 'Vertue (says Walpole) next engaged with the Knaptons to engrave some of the illustrious heads, the greater part of which were executed by Houbraken, and undoubtedly surpassed those of Vertue. Yet his performances by no means deserved to be condemned as they were by the undertakers, and the performer laid aside. Some of Houbraken's were carelessly done, especially of the moderns; but Vertue had a fault to dealers, which was a merit to the public: his scrupulous veracity could not digest imaginary portraits, as are some of those engraved by Houbraken, who, living in Holland, ignorant of our history, uninquisitive into the authenticity of what was transmitted to him, *engraved whatever was sent.* I will mention two instances: the heads of Carr Earl of Somerset, and Secretary Thurloe, are not only not genuine, but have not the least resemblance to the

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Portrait of Montrose at Buchanan House.

persons they pretend to represent. Vertue was *incommode;* he loved truth.'[1]

To these instances we need not hesitate to add the head of Montrose, in so far as regards resemblance to the individual. Moreover, the Dutch artist had either not obtained, or had sacrificed to his own fat and florid taste, certain details which exist in the original portrait, but have never appeared in any engraving of it, that I can discover. This portrait, still at Buchanan House, is of a peculiar form, nearly square, and having very much the appearance of a picture that had been cut down. The accompaniments, out of all proportion to what appears of the figure, confirm the suspicion that a portion of the picture has been cut from every side. In the corner behind the right shoulder of the Marquis, there is a symbolical accessory representing a statue of Minerva, part of the head of which has been cut away, and under it are painted these words, 'James 1st Marq^{s}. of Montrose.' In the opposite corner a helmet, also defective at one side, rests on some projection. The figure itself, clad in armour, terminates awkwardly under the bend of the elbow; and thus what remains of the portrait has the appearance of having been cut out of a larger picture. Nothing of this is to be discovered in Houbraken's engraving. He has merely given the head and shoulders, of the bluffest hero in Holland, confined in an oval

[1] Dallaway's edition of Walpole's Anecdotes of Painting, vol. v., p. 286.

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frame that is made to rest upon pilasters, surrounded with some of the florid insignia of glory, and decorated with a battle-piece in a tablet beneath. This ingenious composition, and it must be confessed masterly engraving, he describes as, 'James Graham Marquis of Montrose. Ant. Van Dyck pinx. J. Houbraken sculps. Amst. 1740; in the possession of his Grace the Duke of Montrose.'

PORTRAIT OF MONTROSE AT BUCHANAN HOUSE.

But what was Houbraken's authority for saying that this portrait was by Van Dyck? If the name painted under the statue be considered contemporary, that of itself is quite decisive against the engraver's assertion. For Montrose was not created a Marquis until the year 1644, and Van Dyck (says Walpole) 'died in Black-fryars, December 9, 1641, and was buried on the 11th in St Paul's, near the tomb of John of Gaunt.' But assuming the title upon the portrait to be a modern addition, of which, indeed, it has every appearance, the above circumstantial obituary puts it beyond all doubt that Montrose never sat to Van Dyck. That immortal artist painted many a cavalier, but, I venture to assert, never THE Cavalier, *par excellence*. Van Dyck was dead and buried before Montrose had extricated himself from the Covenant. It is singular that this fact should have hitherto escaped observation (for there are several portraits of Montrose attributed to Van Dyck), and should not have been detected and commented upon by the historical and critical Walpole. Prior to the year 1643, Montrose's field of action was Scotland

VAN DYCK NEVER PAINTED MONTROSE.

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VAN DYCK NEVER PAINTED MONTROSE.

(which Van Dyck never visited), and his fame was identified with the Covenant. On his return from his youthful travels, in 1636, before he had acquired any fame at all, he passed hastily through England, having been slighted, as is generally supposed, at Court. In 1639 and 1640, he merely crossed the Borders, in command of part of the Covenanting army. There is not the most remote probability that upon these, the only occasions of his visiting England during the lifetime of Van Dyck, the future martyr of loyalty had sat to the courtly painter of the royal household. For the most part of the year 1641, as the papers contained in Part III. amply prove, he was confined in the Castle of Edinburgh by the dominant party, who accused him of a plot against the Covenant. Van Dyck was in his grave before Montrose was understood to be a royalist, or had earned a heroic portrait from such a hand. When and where could Van Dyck have painted Montrose?

DESCRIPTION OF THE PORTRAIT OF MONTROSE AT BUCHANAN HOUSE.

By no means, however, would I impugn the authority, or depreciate the merit, of the portrait at Buchanan House. There can be no question that it is Montrose, and by the hand of a master. The expression is spirited, the air noble, and the execution not unworthy of the hand of Van Dyck. The attitude, indeed, being a full front (and not partly in profile, as Houbraken has given it), is not characteristic of the composition of that great artist. But it is a very attractive head, and altogether devoid of that elderly obesity which shocks us in

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Houbraken's imaginary print.[1] Having separated this best-known portrait of the hero from the illustrious artist under whose name it has hitherto been engraved, it becomes me, if possible, to establish the real authorship.

Probably Painted by William Dobson.

William Dobson, whom Charles I. called the English Tintoret, was appointed Sergeant-painter to that Monarch, on the death of Van Dyck in 1641. He was the most successful imitator of his illustrious predecessor and patron; he is greatly commended by Walpole, and, what is of still more value to

[1] In Smith's 'Catalogue Raisonné' (1831) of the works of the great Italian, Dutch, and Flemish masters, a laborious and voluminous compilation of considerable value, and greater pretension, the portrait of Montrose discussed in the text is thus recorded, among the works of *Van Dyck*:—'Portrait of James Graham Marquis of Montrose, when about *forty-five years of age*, seen in nearly a front view, with long curling hair, and a small black cap on the crown of the head. The body is clad in armour, with a plain white frill round the neck. His helmet, and the figure of a female, are on a projection of architecture behind. Engraved by Robinson in Lodge's Memoirs. Now in possession of the Duke of Montrose. A portrait of this nobleman, *differing a little from the above description*, is engraved by Houbraken.'

The engraving in Lodge (1814), and that by Houbraken (1740), are of *the same* portrait. But the former is not merely a reproduction from the latter, as it was engraved from a sketch made (very hastily) for Mr Lodge's work. Yet neither has this any of the accessories, nor is it at all an accurate representation of the characteristic features and expression of the original. The artist has taken the more pardonable liberty, moreover, of prolonging the armed figure, for the sake of proportion. The engraving which forms the frontispiece to the Life and Times of Montrose (1840), is merely a reproduction from Lodge, reduced; consequently it retains all the errors, including the name of Van Dyck. This would not have occurred had I paid the same attention to that part of the subject as now. But Mr Smith, when compiling so elaborate a work, should have dipped a little into chronology and history. He would have found that Van Dyck could not have painted this heroic portrait of Montrose; moreover, that it could not represent him 'when about forty-five years of age,' seeing that he was only in his *thirty-eighth* year when he was put to death.

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PORTRAIT OF MONTROSE BY DOBSON IN 1644.

his fame, by Sir Joshua Reynolds. When the King held his migratory court at Oxford in 1643–4, at the commencement of the great civil war, he was attended by his Sergeant-painter; and, adds Walpole, 'at Oxford his Majesty, Prince Rupert, and *several of the nobility* sat to him.' Now Montrose had been admitted to the King's most confidential counsels in Oxford at that very time, superseding those of Hamilton. It was then and there that he pledged himself to relieve the King from the pressure of the Covenanting army, by creating a diversion in Scotland. His commission as Lieutenant-General of all his Majesty's forces raised or to be raised in Scotland, or brought thither from England, is dated at Oxford on the first day of February 1644. The warrant for a patent creating him and the heirs male of his body Marquises of Montrose, is dated at Oxford on the sixth day of May 1644, and of course had been determined upon some time prior to that date. That he was one of the nobles who sat to the Sergeant-painter at Oxford upon this great occasion, is certainly more probable than the notion, unsupported by a single fact, of his having been painted by Van Dyck as a heroic *Covenanter*. Accordingly we do find a portrait of Montrose recorded by Walpole among the performances of Dobson. He has recorded it, indeed, in a very unsatisfactory sentence, leaving his meaning somewhat obscure. While enumerating the works of Dobson, he says: 'At the Lord Byron's is the portrait of Sir Charles Lucas; and at Drayton, in Northamptonshire, Henry Mordaunt

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Earl of Peterborough in armour, with a page holding his horse, and an angel giving him his helmet. A head of the Marquis of Montrose was taken for the hand of Van Dyck; in a corner, in stone colour, is a statue of Peace, on the other side his helmet.' Who it was that mistook the head of Montrose for the hand of Van Dyck, Walpole does not vouchsafe to tell. Nor is he very explicit as to when, and in whose possession, the portrait was seen. The construction of the sentences leads to the inference that it was at Drayton in Northamptonshire, where, however, no such portrait appears to be now.[1] But the accessories described by Walpole would seem to identify this portrait, or the composition of it, with the one at Buchanan House. He calls the symbol 'a statue of Peace,' which, as a single accessory, would not be very consistent with the subject. This probably was a mistake. Having closely examined the portrait belonging to the family, I can venture to say that the statue represents Pallas, with her shield braced on the left arm. Walpole, as is well known, wrote from the MS. notes of Vertue, who would seem to have discovered the error attached to Houbraken's engraving.[2]

Identified with that now at Buchanan House.

Immediately after the death of Charles I., Montrose was invested, by Charles II., with the yet higher commission of Lieutenant-Governor of Scotland, and Captain-General of all

[1] My friend Mr Stirling of Keir kindly undertook to attempt to discover it there, but without success.

[2] See Dallaway's Walpole, vol. 2, p. 255.

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Portrait of Montrose painted at the Hague for the Queen of Bohemia in 1649,

his Majesty's forces there. This is dated at the Hague, on the fourth day of March, 1649. Charles I. was executed on the thirtieth day of January of that year. That upon this second great occasion also, Montrose sat for a heroic portrait to another worthy successor of Van Dyck, is a fact which I am now enabled to demonstrate; and it tends to confirm the theory of the former portrait. In one of a series of letters to Montrose from the Princess Elizabeth, Queen of Bohemia, and sister to Charles I., written very soon after the murder of her brother, she says: 'I give you many thanks for your picture; I have hung it in my cabinet to fright away *the brethren*.'[1] This letter is dated 'the Hagh, this 24th of June,' 1649. Montrose had just gone to Breda with Charles II., who had recently been at the Hague, and had there signed Montrose's commission, as above mentioned, in the month of March. There is every reason to believe that the picture acknowledged by her Majesty (which could scarcely be a miniature, from her *in terrorem* display of it) was a heroic portrait, painted at the Hague, by *Gerard Honthorst*, one of the first artists of his day, who was there at the same time with Montrose, and in the service of the Queen of Bohemia and the Prince of

[1] This phrase is here ironically applied to the Covenanters, who in their first rebellious conjunction with the Parliamentarians were proud to be called 'brethren' (a phrase much in use among themselves), and eventually received a large sum of money for their 'brotherly assistance.' The correspondence of the unfortunate but lively and high-spirited Queen of Bohemia, will be found in its place in volume second.

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By Gerard Honthorst, the Queen of Bohemia's Painter.

Orange. This was the celebrated *Gherardo dalle Notte*, born at Utrecht, but who had acquired that name and fame from his early studies in Italy; where, under the patronage of Prince Justiniani, he chiefly excelled in night-pieces and candle-light effects. Charles I. patronised him for a time in England, and rewarded him with three thousand florins, a horse, and a service of silver-plate. But he returned to his own country; and at the unhappy commencement of the reign of Charles II., in 1649, Honthorst was at the Hague, continually painting for the Queen of Bohemia, whose daughters he had the honour to instruct in the art, and the portraits of whose sons, the Princes Rupert and Maurice, he had taken most probably about the time when he painted Montrose. Walpole says: 'Mr West has the portraits of the Marquis of Montrose, of the Princes Rupert and Maurice, with his name written to them thus, GHonthorst.'[1] Montrose was highly esteemed by both of those Princes, and his first commission, as Lieutenant-General of Scotland, was (by his own express desire) under Maurice. Mr West had probably acquired possession of the very portrait which Montrose presented, in the month of June 1649, to the Queen of Bohemia. This might well have happened. The collection of that unfortunate Princess, who was involved in the ruin of her husband and

[1] Anecdotes, vol. ii., p. 261. In the original Strawberry-hill edition, the painter's monogram GH is cut in wood, in order to present a fac simile; from which it would seem that Walpole, or Vertue, had carefully inspected the portrait.

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PORTRAIT OF MONTROSE BY GERARD HONTHORST, THE QUEEN OF BOHEMIA'S PAINTER.

brother, was no doubt partially dispersed. It is said that in her widowhood she was privately married to the first Earl of Craven, to whom she bequeathed most of her property, and hence Combe Abbey is still rich in portraits, many of them productions of Gherardo dalle Notte. But the portrait of Montrose is not there. That mentioned by Walpole, in conjunction with those of Rupert and Maurice, has ever appeared to me a great desideratum, from the time of finding the very interesting acknowledgment of it by the mother of these Gracchi. For if Honthorst painted Montrose shortly before the date of that letter, it must have been while he was yet suffering from the shock of the murder of his Sovereign; and a heroic portrait of him, at that crisis, calculated 'to fright away the Brethren' from the cabinet of the Queen of Bohemia, and by a painter who had been munificently treated by Charles, could scarcely fail to be painted *con amore*.

THE PANMURE PORTRAIT OF MONTROSE ASCRIBED TO VAN DYCK.

While prosecuting these researches on the subject of Montrose's portraits, one was shown to me at Lincluden House, in Kirkcudbrightshire, by the Honourable Mrs Young, who described it as a portrait of Montrose by *Van Dyck*. It had formerly passed from the Panmure family to the late Marquis of Queensberry, and was by him bequeathed to the Right Honourable Fox Maule, whose sister, Mrs Young, thus happened to have possession. It was easy to determine that the portrait was Montrose (for any one at least who had once seen an authentic portrait of him), independently of his name, 'Marq^{s}. Montrose,'

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painted at the upper edge of the panel, and which appears unquestionably to be contemporary with the rest of the painting. Nor was it more difficult to pronounce that the manner was not Van Dyck's. Yet it had always passed for such, as I have since learnt from Mr Fox Maule. There is also a tradition regarding it, that the portrait had been presented by Montrose himself to the first Lord Panmure. But there must be some mistake here; for the date of the portrait, to be immediately noticed, renders such presentation highly improbable; nor can I discover that these noblemen were in conjunction or correspondence at the time. The portrait itself has been quite in abeyance, and I am not aware of any engraving which represents it; although in one or two of the rude old prints of Montrose there is just sufficient resemblance to suggest an idea that this was their prototype. It is in fine preservation, particularly the head and features, which time has only mellowed so truthfully that copyists may despair. The warm transparent colouring of the face and back-ground, with its tender glazing, would stand no touch of cleaning, which perhaps has been bestowed at some period upon parts of the figure. The simplicity, dignity, and solemnity of the composition, is that which strikes at the first glance. Genius and originality are stamped upon the old oak board. The truth of ancient Flemish art comes over the spectator like a spell; and the breathing expression, life-like colouring, and time-honoured tone of

Description of the Panmure Portrait of Montrose.

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Description of the Panmure Portrait of Montrose.

the countenance, grow upon him like flesh and blood. The figure, which is life-size, and three-quarter length, stands erect, not quite fronting the spectator, but with the right shoulder partially presented, and the face nearly in the same plane with the figure. It is completely cased in black armour, as if in mourning, with the exception of the head, which is not even crowned with the small calotte cap that appears in the portrait at Buchanan. The fine brow is well exposed; and the long dark auburn locks, equally parted above it, flow in graceful curls to the shoulders. The right hand, slightly elevated and thrown across the person, grasps a red baton; while the left, projected as far as the wrist beyond the pommel of his sword, is resting upon the open vizor of his helmet, placed in front upon a bank or shelf of rock, and overshadowed with a voluminous plume of black ostrich feathers. If Walpole ever saw this portrait, it must have reminded him of his own Castle of Otranto. The accessories are extremely simple, and in the severest taste. The black helmet, and funereal plume, the blood-red baton, the brighter but somewhat lurid light in the far horizon, appearing on either side of the figure and finely relieving it, the precipitous rock in front, sparingly fringed with wild foliage, and harmonizing with a few warm-tinted clouds scattered in a grey sky, are alone with Montrose. Nothing can excel the stern vigour of the attitude, the simple grace and intelligence of the head, the animation of the well-opened powerful grey eyes, and the peculiar but characteristic

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firmness of the compressed lips, expressive at once of sadness and determination.

Identified with that painted by Honthorst at the Hague for the Queen of Bohemia in 1649.

But who painted it? Having deprived this portrait also of the name of Van Dyck, it was fortunate that I was able to substitute the true one, by something better than a theory. After several close inspections, I detected at the lower corner of the panel, and in deep shadow under the helmet, this name and date, all but obliterated, 'GHonthorst. 1649;' the date being painted immediately under the autograph. The monogram of the first two letters precisely resembles the facsimile mentioned before as having been made for the early edition of Walpole's Anecdotes. That it is an original portrait of Montrose by that great master, painted at the Hague in the year 1649, cannot now be questioned. Neither can it reasonably be doubted that the black armour and plume indicate mourning for Charles I., who suffered at the beginning of that year. It must have been painted immediately after that sad event; and it is not very likely that the Queen of Bohemia had there received, at the same time, any other portrait of the hero than this one, the name and date on which prove it to have been then and there painted by the hand of her own favourite artist.

Whatever Portraits of Montrose may in future come to light, that now described, and which has hitherto been so unaccountably overlooked, cannot fail to be the most important. It is coincident with the period when, his great though fruitless

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HONTHORST'S PORTRAIT TYPICAL OF THE PASSION OF MONTROSE.

actions performed, his *passions* were about to commence, and his fearful destiny to be fulfilled. An exile, but a welcome and honoured guest in the palaces of Europe, he, on the 28th of January 1649, wrote to the Prince of Wales that memorable sentence—'I never had passion upon earth so strong as that to do the King your father service.'—Not many days afterwards, he was struck senseless to the ground by the intelligence, that on the 30th of that same month, the King had been murdered in London. 'Subitoque'—as his faithful chaplain describes the shock—'generosum sic oppressit animum, ut, sensus vitæque expers, rigentibus membris, in medio corruerit.' Then passed away all the bright hopes and visions of the Troubadour and Cavalier. Then the spirit of the self-sacrificed Martyr found its first utterance, as, restored from his trance, he passionately swore, before God, angels and men, that all of life remaining to him was henceforth devoted to avenge the father and restore the son. In one twelvemonth from that time, the vow was absolved by his own blood upon the shambles of the Covenant, and his head on the pinnacle of its Tolbooth. It was *at the Hague* he so declared himself, just four months before the date of the Queen of Bohemia's letter thanking him for his portrait. The vow, and his metrical version of it, must have been notorious there. And then it must have been that *Gherardo dalle Notte*, combining the truthful simplicity of his native school, and his master Bloemart, with something of the grandeur of Caravaggio

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whose style he greatly affected, accomplished this noble work, which enables us, after the lapse of two centuries, to look upon Montrose, his whole aspect and attitude breathing the very spirit of those immortal lines which he had just conceived, and which may well be supposed to have excited the genius of an imitator of Caravaggio—

HONTHORST'S PORTRAIT TYPICAL OF THE PASSION OF MONTROSE.

> GREAT, GOOD, AND JUST! could I but rate
> My griefs and thy too rigid fate,
> I'd weep the world to such a strain
> As it should deluge once again:
> But since thy loud-tongued blood demands supplies
> More from Briareus' hands, than Argus' eyes,
> I'll sing thine Obsequies with trumpet sounds,
> And write thine Epitaph with blood and wounds.

PORTRAITS OF MONTROSE BY THE SCOTTISH VAN DYCK.

But while this must be considered the most important of the portraits of Montrose, there is another, the very antipodes of the former in all its circumstances, which probably will be deemed the most interesting. That now alluded to is so recent and so complete a discovery, that it may be called *Montrose Redivivus*. Although it can be shewn, as will presently appear, that the Scottish Van Dyck, George Jameson, had painted at least two portraits of our hero, it is remarkable that in no account of his works, by Walpole or others, is this honour attributed to him. In the Montrose household accounts, recently found among the Southesk Papers, I first discovered these facts, that upon the third of November 1629 Montrose rode from

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Recent discovery at Kinnaird Castle of Jameson's first Portrait of Montrose in 1629.

Morphie to Aberdeen, and there had his portrait painted, he being at that time just seventeen years of age, and within one week of his marriage to Magdalene Carnegie. These accounts further informed me that the portrait in question was brought to Kinnaird Castle, in the month of December 1629, where the young Earl was then residing with his bride. I have elsewhere stated that the painter in Aberdeen could have been none other than Jameson, and at the same time I ventured to indulge a hope that the portrait itself might be discovered before this volume had passed through the press.[1] The hope has been amply fulfilled. It is no less singular than fortunate, that the same papers which now for the first time supply the chapter of Montrose's youth and education, should have led to the discovery of a portrait of him by his distinguished countryman, precisely coincident with that interesting period of his life.

The family of Southesk seem never to have entirely lost the fact that there was a portrait of the Great Montrose in their castle of Kinnaird. Yet they had lost the true portrait, though it still remained there. Tradition had settled upon a wrong one. Scarcely a stone now remains of that castle of Kinnaird into which Montrose's youthful bride and portrait were at the same time introduced. The bride too has been gone for more than two hundred years. But a vivid

[1] See Part II. pp. 131, 199.

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idea of the happy boy may yet be formed; for that very portrait of him, in perfect preservation, still inhabits the stately castle that has risen upon the site of the old one. Yet, when first visiting Kinnaird in search of this portrait, there was pointed out to me as such the head and bust of a middle-aged warrior, black and ugly and truculent as the Covenant could desire, but without any resemblance to Montrose in feature, expression, or complexion,—as the study of his countenance in more than one authentic portrait enabled me at once to pronounce. The same glance, however, that sufficed to reject the grim usurper, detected the true Montrose on the same wall. I recognized the characteristic features, air, and expression which I had seen in Honthorst's portrait of him, and in another by Jameson to be afterwards noticed, though all of different ages, and instantly pointed out Montrose. A boy of fair and somewhat delicate complexion, whose ivory brow and damask cheek spoke of some fifteen or sixteen summers, was smiling at the spectator with an aspect that had no touch of 'the Troubles.' But the youthful port, erect and lordly, the auburn hair, of a redder hue than the older portraits, the penetrating grey eye, the finely moulded nose with its sensitive and somewhat dangerous nostril, and, above all, the characteristic expression of the compressed lips, though as yet devoid of the shadow of a moustache, identified the young Montrose; while the sumptuous dress,—a rich olive-velvet doublet, the body and sleeves profusely slashed with white satin,

Recent Discovery at Kinnaird Castle of Jameson's first Portrait of Montrose in 1629.

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Verification and Description of the Southesk Portrait of Montrose.

every seam and edge trimmed with gold, and over the collar a lace ruff of the most delicate texture,—seemed to announce the boy Benedict in his wedding dress. Yet from time immemorial has this precious portrait been designed 'Sir John Carnegie of the Craig'![1] A nomenclature so long established in a family gallery, and familiar as a household word, could scarcely have been superseded by a stranger's recognition of Montrose's actual countenance. Contemporary papers, however, of which the Southesk family had no knowledge, distinctly record a portrait of Montrose, as having been painted in 1629, when he was seventeen years of age, by Jameson, and then brought to Kinnaird; and a closer inspection of that now there, in which the countenance of Montrose had at once struck me so forcibly, discovered these dates on the upper corner to the right of the head, 'Anno 1629. Ætatis 17.;' and in the back-ground, near the left shoulder, this autograph, 'Jamesone Fect.'

The pupil of Rubens, and fellow-student of Van Dyck, might well put his name to this interesting and graceful portrait. It is the head-size usually adopted by Jameson, and in his favourite position, half in profile, with the right shoulder presented to the spectator. Like most of the early portraits of that master, it is painted on panel; and a slight crack down

[1] So I am informed by Sir James Carnegie, in reply to a letter imparting the interesting discovery. To his kind permission, also, I am indebted for an excellent copy, recently painted for me, by Mr Blackburn of Edinburgh.

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Verification and Description of the Southesk Portrait of Montrose.

the centre, which fortunately mars no feature, is the only injury of any consequence incurred through that long lapse of time. It is 'signed all over,' even had the artist not added his name. For there is no mistaking the light, rapid, flowing pencil, and thin transparent colouring of Jameson. It was painted precisely twenty years before that by Honthorst, which interval, short though it be, marks the extremes of the hero's hopes, feelings, and career. The contrast between these two portraits (probably the first and the last of him painted), with such a history intervening, is replete with the saddest interest. When sixteen years had elapsed after Jameson painted the fair and beardless boy, he stood on the Border, the hero of a hundred fights, the conqueror of Covenanting Scotland from Lochow to the Tweed, his pledge redeemed, and waiting for his Sovereign, but betrayed, deserted, doomed, and with the sad foreboding in his heart that the revolting conquest was in vain:—

'O Patria! et rapti nequicquam ex hoste Penates.'

No type or shadow of the warrior's career is to be found in Jameson's portrait,—not even the hilt of a dagger or the pommel of a sword. Yet the artist felt his subject. He had only to deal with the lively schoolboy, who headed the games at St Andrews, and led the Christmas revels at Balcarres, and in many others of the ancient halls of Scotland; whose college feats were chronicled by a poor 'Hungarian Poet,' and whose

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VERIFICATION AND DESCRIPTION OF THE SOUTHESK PORTRAIT OF MONTROSE.

ancestral glories and early promise were lauded in more ambitious strains by the 'Bonaventure of Europe, Asia, and Africa;'[1] who, wherever he went, was welcome to the rich and kind to the poor, and fed his hunter with loaf-bread and ale, and delighted in minstrels and mummery; and who was now, while yet a boy, on the eve of separating himself from the ways and means of boyhood, to settle as a married man at Kinnaird with 'Mrs Magdalene Carnegie.' So Jameson has painted him in his wedding bravery, and with just that expression in the boy's face and bearing that best accords with the history of his youth, and the gentlest and most melodious effort of his muse:—

'The golden laws of love shall be
Upon these pillars hung;
A single heart,—a simple eye,—
A true and constant tongue,—
Let no man for more loves pretend
Than he hath hearts in store,—
True love begun will never end,—
Love one and love no more.'

JAMESON'S SECOND PORTRAIT OF MONTROSE IN 1640.

Although this artist's portraits of Montrose have escaped all observation, it is certain that he painted him at least once again. There is now in the possession of the very Reverend

[1] See Part II., p. 105.

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Principal Macfarlan of Glasgow, a portrait in tolerable preservation, the originality, and even authorship of which is obvious on the first inspection, without the aid of the following history, which appears on the back of it:— JAMESON'S SECOND PORTRAIT OF MONTROSE IN 1640.

'The great Marquis of Montrose, when in England in the year 1640, took refuge in the house of a Mr Colquhoun, a clergyman, second son of the Camstraddan family, where he remained for a considerable time. When about to depart, he thanked Mr C. for the respect and tenderness with which he had been treated, and the fidelity with which he had been concealed, regretting he had not something more substantial than words by which to express his gratitude. Mr C. replied,— "You now have it in your power to repay an hundred fold any little service we have ever done you; a likeness of your Highness would be inestimable;"—that if he would condescend so far, Jameson the Scotch painter was in the house, a man of honour, a friend who might be trusted. The Marquis agreed, and the picture now in our possession was the likeness taken. About the year 1755, my father, Robert Colquhoun of Camstraddan, became possessed of the portrait; and in 1776, Lord Frederick Campbell carried it to London, and had it cleaned. On bringing it back to Camstraddan, he told my father it had been greatly admired by Sir Joshua Reynolds, and other judges of painting. No copy was ever allowed to be taken, so far as my memory serves me. Such is the

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Verification and Description of the Camstradden Portrait of Montrose.

account I have frequently heard from my father, who died 1787, aged seventy-one.

'Margt. Haldane Colquhoun,
Melville Place, Stirling,
2d March 1833.'[1]

In 1640 Montrose was still a Covenanting Commander, passing occasionally between their leaguer in Newcastle, and Edinburgh, but under no necessity whatever of concealment. So far, then, the tradition is at fault. The portrait itself, however, sufficiently establishes the main fact, that it is Montrose by Jameson. It displays every characteristic of the master, and has been more elaborately executed than the former, but not so well preserved. Moreover, I found the date, 1640, in the corner of the picture where Jameson usually placed it. The fact that the portrait bears a date seems to have been lost sight of, and perhaps a closer inspection might discover the artist's name. It has never been engraved, so far as I know, and is well deserving of being recorded.

A change had come over the spirit of Montrose's dream since he first sat to Jameson eleven years before. His archery, and golfing, and hunting, and minstrelsy, and domestic enjoy-

[1] Miss Colquhoun died in 1838. I was kindly permitted by the proprietor to obtain a copy of this secluded portrait, which was executed for me in a masterly manner by that well known artist Mr Graham Gilbert of Glasgow. The proprietor of the portrait, for whom Principal Macfarlan has it in keeping, is Robert Colquhoun, Esq., late of Camstradden, H. B. M. Consul General at Bucharest.

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Verification and Description of the Camstradden Portrait of Montrose.

ments, had all merged in the public commotions. For four years he had been boiling in the pitch that we cannot say did not defile him. He had stood upon a barrel in the High Street of Edinburgh and harangued a mob against Episcopal government, till the facetious Rothes predicted his yet higher elevation 'in a tow.' The times had determined the bent of his fiery genius to arms. He was already distinguished as a soldier of the Covenant. This boy had crushed the loyal demonstrations of the veteran Huntly in the North, and conducted that potent chief from the midst of his clan a prisoner to Edinburgh. He had redeemed the Cause from Haddo's 'Trot of Turreff,' by the desperate battle of the Dee. But the course of his armed rebellion was already run out. He had alarmed the Covenanters by making a stand in the senate for Monarchy, when he defended the prerogatives of the Crown, and in the field for the cause of humanity, by protecting the loyal city which he had been instructed to reduce to ashes. He had held a conference with his Sovereign; and it was at this crisis of his career that the vulgar affixed to his door the complimentary taunt,—*Invictus armis verbis vincitur*,—and that the Argyle faction openly denounced him with the threat that '*his sword should be taken from his side before two months passed.*'[1] Such was Montrose in 1640, the twenty-eighth year of his age, when George Jameson undertook to paint him again.

[1] See Part III., pp. 281, 362.

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VERIFICATION AND DESCRIPTION OF THE CAMSTRADDEN PORTRAIT OF MONTROSE.

The attitude in this half-length portrait is precisely the same as that painted in 1629; but the costume is different. The sleeves, only, of a pink and white satin doublet appear, and these not puffed or slashed, the rest of the person being covered by a military buff-coat, which imparts a fine tone and surface of colour to the picture. A broad sword-belt, richly embroidered, crosses the breast, and these warlike signs are relieved by a falling collar of costly lace and true Vandyck pattern, such as a countess might covet in these degenerate days of male attire. One defect is observable. In the portrait which Jameson first painted, the hair is naturally parted and turned aside over the brow, so as completely to discover it, and though full and curling is of moderate length. But in that now described, while the auburn locks descend in voluminous waves to the shoulder, the hair in front is cut straight across, and very close to the eyebrows, according to a most unbecoming fashion of the day which Jameson too frequently followed. This, and the black calotte cap on the crown of the head, constitute a striking resemblance between the Camstradden portrait and the one at Buchanan House, besides great similarity in the features.[1] Both of

[1] The following description of Montrose is worthy of being preserved among the curiosities of literature :—

'Montrose's genius, restlessness, ambition, and personal antipathies, moved him from one side to the other *quick and clear as the fluid in a spirit-level*. The daring, romantic, and brilliant military movements of Montrose, naturally lead us to expect in his portrait something of the stern decision of a Roman hero; but for once at least, in this group, either Lavater or the painter is at

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Jameson's portraits possess the advantage of representing Montrose in the very dress he wore. In this respect all the other portraits of him that I have seen, and the whole herd of prints, are merely figurative. It was not his habit to be cased in armour like the knights of old, although it was his right, as a great military commander, to be so pourtrayed. Gherardo dalle Notte has given us a sublime historical representation of the hero. From George Jameson we have a biographical delineation of the individual. The vulgar idea of Montrose (derived from the prints of which I have spoken), any figure with long hair and armour, had contributed to throw Jameson's charming portrait of the boy into a long abeyance,

JAMESON'S PORTRAITS OF MONTROSE THE MOST NATURAL.

fault. The unmeaning common-place countenance, the low round head, covered with long dark hair, hanging almost *half over the face*, and the simple and soft eyes, convey more of the notion of a weak well-meaning enthusiast, than of the fiery ambition and unconquerable spirit of Montrose.' (Life and Times of Alexander Henderson, by the Rev. John Aiton of Dolphinton. 1836. Introduction, p. 175.)

To what atrocious print this worthy clergyman had applied the ingenious test of his spirit-level, in order to construct a Montrose after his own fancy, I know not, never having seen such as he describes. The contemporary portraiture of him by one who knew him personally, 'having followed him in several of his expeditions,' is more to be relied upon, and coincides in all respects with the portraits described in the text, excepting perhaps as regards the shade of his hair, which time has darkened in the old paintings:—

'He was of a middle stature, and most exquisitely proportioned limbs; his hair of a light chesnut; his complexion betwixt pale and ruddy; his eye most penetrating, though inclining to gray; his nose rather aquiline than otherwise. As he was strong of body and limbs, so he was most agile, which made him excel most others in those exercises where these two are required. In riding the great horse, and making use of his arms, he came short of none. I never heard much of his delight in dancing, though his countenance, and other his bodily endowments, were equally fitting the Court as the Camp.' (See Life and Times of Montrose, p. 13.)

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from which it would never have been redeemed had those old neglected papers chanced to perish.

ORIGINAL MINIATURE OF MONTROSE NOT DISCOVERED.

One contemporary miniature of Montrose is on record, but its fate is unknown. In a letter, which will be found in these Memorials, dated from Brussels, 14th June 1648, his nephew, Lord Napier, thus writes to Lady Napier in Scotland: 'Be pleased, dear heart, to let me have one thing which I did almost forget, your picture, in the breadth of a sixpence (without a case, for they may be had better and handsomer here), and I will wear it upon a ribbon under my doublet, so long as it, or I lasts. Send your picture as I desire it; the other is so big as I cannot wear it about me. Montrose at his way-going gave me his picture, which I caused put in a gold case of the same bigness I desire yours.'[1]

OLD COPIES OF HONTHORST'S PORTRAIT OF MONTROSE.

The late Mr Murray of Broughton acquired a portrait of Montrose, which passed for a Van Dyck. It was so entered in the sale catalogue of the furniture at Cally, and was there purchased for the Marquis of Breadalbane at the large price of £105. It is now transferred to the Breadalbane apartments in Holyrood House. This painting possesses considerable merit, but not such as to entitle it to the name of Van Dyck. Having carefully inspected it while the portrait by Hon-

[1] Original, Napier charter-chest. The present Duke of Montrose possesses a most beautiful enamel, by Bone, of just so much of the portrait at Buchanan House as was engraved by Houbraken. But the likeness is far better preserved in the enamel miniature, which is not 'in the breadth of a sixpence,' but of a large medal.

ENAMEL BY BONE.

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thorst was in my own possession,[1] I can say, without any hesitation, and after having tested it by a comparison of the most minute details, that it is an old mellow copy of Honthorst's Montrose. The copyist, no mean artist, has taken the liberty of adding about three inches in length to the lower part of the figure. The mechanical details are very accurately repeated, but the countenance has missed the peculiar and characteristic expression, and is flatter, and less youthful and lifelike, than the original. The painting is on canvas, and neither signed nor dated. Moreover, the copyist has declined to grapple with the masterly, though simple, back-ground of Honthorst's painting, the tone and atmosphere of which it is no doubt extremely difficult to imitate. Accordingly, the more common and conventional accessories of a curtain and tassel have been substituted, entirely altering the tone of the painting. This has also injured the composition, by depriving it of that dignified solemnity which, in the original, tells the story so well,—the *Otranto* air, that seems almost to whisper the murder of Charles I.

Old Copies of Honthorst's Portrait of Montrose.

There was purchased in Edinburgh, some years ago, at one of Mr Tait's miscellaneous sales, a portrait, with this inscription on the back of it:—

[1] Mr Fox Maule, to whom I communicated the history of the Honthorst portrait (supposed to be by Van Dyck), with great liberality allowed me to have a copy, and entrusted me with the portrait itself, to be engraved for this work, which has enabled me to verify, beyond all doubt, the name, and date 1649. An excellent copy has been made for me by that talented artist, Mr Blackburn.

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Old Copies of Honthorst's Portrait of Montrose.

'The Great Marques of Montrose, who suffered for his loyalty, Anno . Done from a good originall picture of the said Marques, supposed to be painted when he was in Holland. Alex^r. pinxit. A.D. 1732.'[1]

This I find to be a very inferior copy of the Honthorst portrait. No more, however, than the upper part has been copied. The funereal helmet is omitted, and the difficult background has not been attempted. So far as it goes every nail and scale of the armour is faithfully rendered; but the countenance, harder than the iron itself, with a swarthy tone and vulgar expression stares out of a bright blue sky. I take this to be an older copy than the one at Holyrood House. A comparison of the outline, and mechanical details, removes all doubt as to its being a copy from Honthorst. It is curious, however, as proving that more than a century ago the author of the original portrait was unknown, in spite of his autograph with the date, which, certainly, it is not very easy to detect in

[1] Nearly half a century after this date, such ignorance prevailed on the subject of Montrose's portraits, that in a sale catalogue of Sir Robert Strange's pictures, at Christie's, Pall-Mall, 5th May 1775, Number 115, 'by Van Dyck,' is thus described:—'The Marquis of Montrose, a half-length, painted originally for King Charles I., and purchased by one of the Dukes of Valentinois, who had been connected with Montrose when in France. It remained in that collection till of late years, there being a division of the effects of that family between the present Duke and his brother, the Prince of Monaco, when this picture was purchased. Certain it is that there is no other original of this great man extant that we know of, not even in the possession of any of his descendants.'

Yet the portrait in possession of the Duke of Montrose had been engraved by Houbraken in 1740, which engraving Strange copied. I have no other knowledge of that described in his sale catalogue.

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the deep shadow where it is painted. Although the copyist seems not to have known the year in which Montrose was executed, he was an Edinburgh artist, and the great-grandson of Jameson. Walpole mentions some of the most important works of that master as being 'now in the possession of Mr John Alexander, limner at Edinburgh, his great-grandson;' and Walpole's editor tells us, in a note, that 'John Alexander, a lineal descendant from Jamisone, was educated in Italy, and upon his return to Scotland in 1720, painted several historical pictures at Gordon Castle. He delighted to copy, or *invent*, portraits of Mary Queen of Scots.'[1] His copy of Montrose is poor and illiterate.

Old Copies of Honthorst's Portrait of Montrose.

I am aware that the above does not exhaust the list of Montrose portraits, but I have not the means at present of authenticating any others. Were it possible that Van Dyck could have painted Montrose, the hope of such a work might well excite research. As it is, the four originals above described leave little to look for, and must ever hold their place. For, besides being the works of eminent artists, each happens to mark a separate epoch of the hero's life; namely, his early marriage in 1629; his separation from the Covenanters in 1640; his commission as Lieutenant-General of Scotland,

[1] Dallaway's edition of Walpole's Anecdotes, vol. ii., pp. 245–6. In the obituary of the Edinburgh Magazine for 1767, the following occurs:—'Mr John Alexander, Limner, died at Edinburgh, the 19 day of July 1767, aged 81.'

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and his Marquisate, from Charles I. in 1644; and his commission as Lieutenant-Governor of Scotland from Charles II. in 1649.

THE BROMLEY PORTRAIT OF MONTROSE.

Since the above went to press, I have been favoured with some account of another portrait of Montrose, understood to be an original, which is worthy of notice, although I cannot speak of it from personal inspection. The proprietor, the Rev. Walter Davenport Bromley, of Wootton Hall, Staffordshire, mentions that this portrait is one of a collection of pictures made by Sir William Bromley, of Bagington, Warwickshire, a cavalier, made knight of the Bath in the reign of Charles II. The son of Sir William, so well known as Speaker Bromley, who was also joint Secretary of State with Bolingbroke in the reign of Queen Anne, had made a list of these pictures with his own hand, in which he records the one in question as a portrait of Montrose by Dobson. Judging from a clever sketch of it in water colours, with the sight of which I have also been favoured, it appears to be a fine portrait, of head size, in armour, and the hair disposed as in the portrait by Honthorst. But this reduced sketch by an amateur, however spiritedly dashed off, does not enable me absolutely to identify it as Montrose, by comparison with the portraits already described. The sketch displays a general resemblance in the features and hair, but not in the expression. The pedigree of it, however, is imposing; and the fact happens to be, that the only *English* artist to whom a portrait of Montrose can be referred with

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any degree of probability, is this William Dobson. Montrose joined the King in Oxford at the close of the year 1643, when Dobson was Serjeant-painter and Groom of the Chamber there. Until this time he could not have sat to any Court painter in England. His exploits in arms commenced early in the year 1644, after which time he never could have sat to an artist in England again. Dobson, although, as already mentioned, painting Princes and Courtiers in Oxford, at the close of 1643 and beginning of 1644, was, not long afterwards, ruined and in jail. He died in the month of October 1646, at the early age of thirty-six. Walpole, as we have seen, attributes one portrait of Montrose to this artist, and his description would seem to identify it with the one now at Buchanan House. If the Bromley portrait be also Montrose by Dobson, then the hero had been twice painted, within a very few months at Oxford, by the hand of that distinguished but unfortunate master of his art.[1]

THE BROMLEY PORTRAIT OF MONTROSE.

[1] I can venture to assert, after a careful comparison, that the features, and the expression, of each of the other portraits described in the text, which are peculiar and characteristic, suffice to identify them as portraits of the same individual, though painted by different artists, at different periods of his life. Now Honthorst, besides his own name and date, has painted 'Marqs. Montrose' in the ground of the painting. These letters have been subsequently traced over with a brighter colour; but the old pale empasto of the original letters can be distinctly seen where the more modern brush has missed them, and they are unquestionably contemporary. All portraits, then, pretending to be Montrose should be compared with Honthorst's. The boy portrait by Jameson (the curious verification of which is also irresistable), stands this test; and so does his later portrait of Montrose; and also the one at Buchanan House. The

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THE FIRST ENGRAVED LIKENESS OF MONTROSE.

The fact is no less true than remarkable, that the frontispiece to the present volume is the first engraved portrait of Montrose that can be called a likeness. I have examined all those recorded by Granger, besides some which he does not mention, and find not one that conveys an idea of his characteristic air, features, and expression, as depicted in any of the original portraits described in this Preface. The engraving now given is an accurate representation of the portrait so recently discovered at Kinnaird Castle, and does credit to the artist, Mr Robert Bell of Edinburgh. It was thought the most appropriate frontispiece for the volume which contains the first and the only printed record of Montrose's boyhood. The second volume will, it is hoped, furnish a no less faithful likeness from the heroic portrait in possession of Mr Fox Maule. These Memorials will thus have the merit not only of displaying the character of Montrose in its true light, from authentic documents independent of all partial theories, but of placing before the Public, for the first time, faithful and characteristic delineations of the Hero himself, from two original portraits, painted at the extremes of his career, and signed and dated by the great artists who had thus authenticated and approved these valuable pictures.

greatest difference is in the shade of the hair, which Honthorst, or Time, has rendered so dark as almost to seem black, until subjected to a strong light, when the red tints appear. The other portraits indicate a lighter shade of auburn hair; but the bluish-grey eye, and finely moulded nose, are characteristics in them all.

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Fac-simile of Montrose's Archer-Medal.

It only remains to be added, that the wood-cut on the title-page is a fac-simile of an impression taken from the silver medal attached by Montrose to the silver arrow gained by him at St Andrews in 1629. See Part II., pp. 118, 186, 201. This, too, was but recently restored to light, in consequence of a research induced by the papers discovered at Kinnaird. I am happy to find that it now forms an object of great attraction to the visitors of the University of St Andrews. The fac-simile attached to the frontispiece is from an autograph of Montrose written in the same year that the portrait was painted.

MARK NAPIER.

6 Ainslie Place, Edinburgh,
November 14, 1848.

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MEMORIALS

OF

MONTROSE AND HIS TIMES.

PART I.

The papers composing this Preliminary Part of the Memorials of Montrose and his Times are chiefly derived from the manuscripts of Archibald first Lord Napier. The connexion of this nobleman with Montrose was close and constant, and is thus curiously and elaborately recorded by the accomplished Wishart, their devoted adherent and chaplain, who eventually became Bishop of Edinburgh:—

'Naperius de Marchistona Regulus, integerrimæ vitæ et felicissimi ingenii vir, generosus et verè nobilis, ac familiæ suæ perantiquæ princeps, patri avoque Naperiis (toto terrarum orbe celeberrimis philosophis et mathematicis) in aliis par, civili verò prudentiâ longè superior,—regibus Jacobo Caroloque gratus juxta ac fidus, Ærario olim præfectus, et ad primæ nobilitatis evectus gradum,—fidei in Regem charitatisque ergo a conjuratis carcerem sæpius cum bonorum jactura passus,—hisce diebus in Atholia fatis cessit. Quem Montisrosanus, puer, quasi indul-

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gentissimum parentem, adolescens, monitorem consultissimum, adultus verò fidissimum amicum, semper coluit, ejusque mortem haud aliter quàm paternam tulit. Cujus de jure Regio, et Tumultuum in Britannia origine, eruditissimæ dissertationes, utinam aliquando videant lucem.'[1]

Not only is this record equivalent to the testimony of Montrose himself, having been written and published, in both languages, during his lifetime, and by his domestic chaplain, but we may regard it as hallowed by his dying imprimatur. It occurs in that well-known history of his extraordinary career in arms, which, under the barbarous delusion of dishonouring his name, the dominant Church party, who so unscrupulously destroyed him, decreed should be bound to his person on the scaffold. 'I did not feel more honoured,' said Montrose, 'when his Majesty sent me the Garter.'

Dr Wishart, it will be observed, pointedly alludes to some manuscripts, then extant, of this Lord Napier, which he hopes may one day

[1] Wishart, Latin edition, 1647, c. 17, p. 198. The English edition, published at the Hague about the same time, during Montrose's retirement abroad, gives the passage thus:—

'About this time the Lord Napier of Merchistoun departed this life in Athol; a man of a most innocent life and happy parts; a truly noble gentleman, and chief of an ancient family; one who equalled his father and grandfather, Napiers (philosophers and mathematicians famous through all the world), in other things, but far exceeded them in his dexterity in civil business; a man as faithful unto as highly esteemed by King James and King Charles. Sometime he was Lord Treasurer, and was deservedly advanced into the rank of higher nobility; and since these times had expressed so much loyalty and love to the King, that he was a large partaker of the rewards which rebels bestow upon virtue, frequent imprisonment, sequestration, and plunder. This man, Montrose, when he was a boy, looked upon as a most tender father; when he was a youth, as a most sage admonitor; when he was a man, as a most faithful friend; and now that he died, was no otherwise affected with his death than as if it had been his father's: whose elaborate discourses of the King's prerogative, and of the rise of the civil wars in Great Britain, I heartily wish may some time come to light.'

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see the light. His laudable desire was not destined to be speedily or properly fulfilled. The noble adherents of Charles I., and their immediate successors, were involved in the ruin of the Monarchy. None suffered more, in their persons and their fortunes, than this family; and it was scarcely to have been expected that any of these manuscripts should yet exist. Among the remnants of the Napier Papers, however, are still to be found some 'elaborate discourses' on the nature and inviolable principle of sovereign power, and of the correlative duty of the subject, all in the handwriting of Montrose's Mentor. Some of these are composed in Latin, the style of which would not have diminished the literary fame of the hero's enthusiastic eulogist, Wishart. But they were composed ere Cromwell reigned or Clarendon had written, and their time has gone by. Other remnants, less learned and elaborate, but connected with the history of those eventful times, are now for the first time collected. It is not improbable that Wishart's Commentary obtained its first impulse from some more comprehensive scheme of Lord Napier's, in whose family he was much domesticated. The Editor of these Memorials has recently recovered, by a happy accident, a most interesting manuscript in the handwriting of this nobleman, and written only a few months before his death, which contains a detailed apology for the whole conduct of Montrose, from the time when he first joined the agitation of the Covenant in Scotland, down to the period of his last victory, at Kilsyth. This important document will be found in the third series of papers. Meanwhile, in this first Part, some instructive glimpses will be obtained of the extraordinary nature of Scottish councils, immediately preceding the fatal 'cloud in the North.'

Lord Napier was the only son of John Napier of Merchiston, the celebrated inventor of logarithms, by his first spouse, Elizabeth, daughter of

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Sir James Stirling of Keir. After long and faithful services as Gentleman of the Bedchamber to James VI., he was appointed, by that monarch, Treasurer-Depute for Scotland, one of the Senators of the College of Justice, and Lord Justice-Clerk. Charles I., by whom also he was much esteemed, created him a Baronet of Nova Scotia, and soon thereafter raised him to the peerage, as Lord Napier of Merchiston, by patent dated 4th May 1627. He was for many years a member of the Privy Council of Scotland, in both reigns, from 1615 to 1641, when the dominant Church party there compelled the King to forego his services, and those of every Scottish statesman who evinced the slightest disposition to 'divisive courses'—an ingenious term of faction for the paths of honour and patriotic loyalty. Lord Napier married the Lady Margaret Graham, daughter of John fourth Earl of Montrose, who was father of our hero. Hence it was that Napier had been named as one of the curators to his son; and the fervid attestation of the fidelity with which he fulfilled the charge was, as already noticed, pressed to the bosom of Montrose himself, at not the least of his triumphs, when the noble victim of the deadly enmity of Argyle

> 'Roused his great soul to dignify his fate,
> And foiled the adder of his foeman's hate.'

Lord Napier died at Fincastle, in Athol, in 1645, immediately after Montrose's defeat at Philiphaugh. It is most probable that his end was hastened by fatigue and anxiety of mind. For he was upwards of seventy years of age when, in company with his illustrious pupil, and a small band of desperate Cavaliers, he had to make his way from that bloody field through David Leslie's iron brigades. He was buried by Montrose in the church of Blair.

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The most perfect manuscript now to be found in his handwriting is entitled, 'A true Relation of the unjust persute against the Lord Napier, written by himselfe.' This private memoir was occasioned by various discreditable court cabals in which the leading Scottish statesmen meanly conspired against Lord Napier's enjoyment of the office of Treasurer-Depute for Scotland, and of the confidence and affection of his Sovereign. In the year 1793 a very limited impression of this curious and graphic chapter of the secret history of the court, was printed at Edinburgh, for Francis seventh Lord Napier; but without any illustration, or attempt to connect it with the history of the times. It affords some very characteristic traits and notices of Charles I., and several of his Scottish councillors, who soon afterwards reappear on the stormy stage of 'the Troubles,' the advent of which had been omened by their restless and factious cabals. The Editor has only here reprinted a few passages, which serve to connect and explain the various original letters and documents now collected, and which documents are also illustrative of the events which Lord Napier relates. The pious object of his Relation may be given here in his own words:—

'The principall cause that made me to attempt this Relation, wes, thankfullness to Allmighty God, of whose speciall care and protection, in my troubles, I had sufficient proofe; for I esteeme the conceaing of a benefit, even amongst men, a high degree of ingratitude: Next, charity to the reader, who may heerby informe himselfe of the state of these tymes, and receave direction how to behave himselfe in the like, and like occasions. And if he shall, by my example, in his troubles have recourse to God, who for causes knowne to him hath sent them, (for affliction ryses not out the dust,) and with humble heart submit himselfe and his effaires to him, not trusting in the arme of flesh, hee shall give him these con-

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quering vertues, wisdome, courage, and patience, to bring them to a better issue then in reason he could expect; and in the midst of his troubles without, hee shall find the peace and favour of God within, which shall not only droune all sense of his afflictions, but shall fill his mynd with inexpressible joy. But, that I may not assume to myselfe more then is due, I confess ingenuously that this thankfulnes towards God, and charity towards men, wes in my mynd like a spark of fyre among a heape of ashes, which had never gevin light if it had not beene blowne be the earnest intreaties and persuasions of my friends, who,—well knowing the illegall, injust, and violent proceedings against me, my want of powerful friends, the strong combination of most men of place and power, followed by others whose manner is to humour greatnes in every thing, and, lyke dogs, to fly on him that is most distressed,—were in a manner astonished at my delivery; and, admiring the successe it pleased God to grant, could not rest satisfyed without a particular Relation of all these passages: Which, being ane expression of thankfulnes towards God, ought to bee in the manner most acceptable to his divine Majestie, to wit, true, sincere, without passion or partiall affection, and without arrogating any part to my sufficiency; and being for the benefit of the reader, ought to bee in a plaine and easy style, to informe him rather then to delight him.'

From the scenes which the following papers disclose, and from the principles, in relation to them, inculcated by him whom the young Montrose regarded 'quasi indulgentissimum parentem—monitorem consultissimum,' we shall find that he received early impressions never effaced, and which characterised his own conduct as an honest statesman, a loyal subject, and a fearless patriot.

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ORIGINAL PAPERS CHARACTERISTIC OF SCOTTISH COUNCILS AND COUNCILLORS DURING THE BOYHOOD AND MINORITY OF MONTROSE. M.DC.XV—M.DC.XXXIII.

I. From Lord Napier's Autograph Relation.

After I had left the Schooles, I addressed my selfe to the service of King James of blessed memory, and wes gratiously receaved by him; and after the death of Queene Elisabeth I followed his Majestie into England, when he went to receave the Crown of that Kingdome. I served him there, as Gentleman of his Privy-chamber, the space of sixteen or seventeen yeares, or thereabout, continually, till his Majestie wes pleased to cast the Earle of Summerset out of his favour, and [1615.] take in his place George Villiers, afterwards Duk of Buckinghame; a powerfull Favorite, and no good friend of myne, because I, with some of our Countrey-men, endeavoured to support Summerset, which in his construction wes ane opposing of his rysing. Therefore I (being before much desyred thereto by my worthy Father) took this occasion to repair

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to Scotland, and expect the event of things: wherewith I did acquaint the King, and desyred his leave, which he granted; but not before he made his Favorite (against his mynd I think) to give me large promises of friendship, and faire blossomes of protestations and complement which never bore fruit.[1] Some yeares after, Sir Gideon Murray, Deputy Thesaurer to his Majestie, dyed; and the King, knowing every man's friends in his Bed-chamber, said in the presence of myne, that he had found a meane to employe me; whereof I being advertised came vp to his Majestie, who commanded me to attend his tyme and pleisure heirin. But the Earle of Mar, Thesaurer principall, (who could not well brooke a Colleg,) by means of the Duk of Buckingham got the tryall of the place solely for a yeare. But before that yeare expyred, the effaires of Court, which are never long stable, took another ply, and the same men, who, vpon promises made by the Thesaurer, did befriend him in his bussines, being disapoynted of the hopes hee gave them, were they who joyned with his enemyes to put upon him a Deputy. To the first notion of a Deputy his Majestie gave consent, as being usuall, and from which his Majestie wes diverted the yeare before by the power his Favorite had with him: For it wes his manner to give way to strong opposition, or his favorites intreaties, yet never to give over his purpose, but at another tyme to worke it by the meanes of a contrary faction, to free and discharge himselfe of the others discontentment upon the faction.

[1] Somerset was suddenly cast from the pinnacle of King James's favour to the depths of his displeasure in the month of October 1615. About the same time George Villiers was knighted, and appointed Gentleman of the Bedchamber, which post Sir Archibald Napier then resigned, and retired to Scotland. His father, Napier of Merchistoun, who had just given to the world his 'Canon Mirificus Logarithmorum,' was thus enabled to enjoy the society of his son in Scotland for two years before his own death in 1617. Sir Archibald Napier appears to have entertained a good opinion of Somerset, and to have considered him the victim of faction. See the next article. It was during this retirement to Scotland that Napier married the sister of Montrose. The marriage contract is dated 15th April 1619.

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The King's consent once being got, every man who had power putt in for his friend, without respect of his sufficiency or ability: But no man could bee proposed against whom his Majestie did not take some exception; which being perceaved by the late Marquis of Hammilton,[1] a wyse Nobleman, in whom there wes no vertue wanting befitting his place and quality, and judging that the King had made some secret election in his owne mynd, [he] desyred to know who it wes. His Majestie having named me, the Marquis did not only approve his Majesties judgement, but also procured a warrand for my admission, wisely covering thereby the repulse he got for his friend; and, preventing the prevailing of any competitor, not only made it seeme that hee had obtained his desyre, and a poynt of revenge vpon my Lord of Mar, but also made purchase of me for a faithfull friend and servant: For, although from the King's owne mouth (who knew the customie of the Court, and could never endure to be robbed of his thanks) the whole carriage of that bussines wes delivered unto me,—together with a command to me to serve him faithfully, not to be factious, nor to comply with any to his prejudice, or the Countrey's, or to wrong any privat man for favour of another,—not the les I dissembled my knowledge, and professed my obligation to the Marquis, (which indeed wes greater then I could challenge at his hand for any deserving of myne,) whereby I had him my noble friend all the dayes of his lyfe. This act of the King's without my knowledge, without my sute, or any friends of myne, and in my absence, being singular, (for although no living man had the art to know men more perfectly then hee, yet still importunity prevailed with him against his own choyse,) made me enter into serious consideration of the mater, and to set downe to my selfe rules and resolutions of honest proceeding in the dischairge of that place. First, because wee are commanded to serve our Masters faithfully, and for conscience sake;

[1] James, second Marquis of Hamilton, father of the favourite. He died at Whitehall, 2d March 1625, in his thirty-sixth year, and was buried at Hamilton.

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next, because in my nature I hate the imputation of dishonesty, avarice, and injustice; thridly, not to make his Majestie ashamed of the choyce, which wes only his owne; and lastly, I thought it no safe way for me (who wes borne to ane estate) by base scraping, purloyning, and bribery, to endanger it: what I got by his Majestie's bounty, upon consideration of good service, would doe me, I thought, and my house good. Armed with this resolution I entred that service, and my behaviour therein wes according thereto; whereby his Majestie wes well satisfyed, and if it had pleased God to grant him longer lyfe, I had not, in all probability, beene disapoynted of my hopes: For of his good opinion and purpose toward me there are yet living witnesses; and a litle before his death he recommended me, (I being then in Scotland) to his Sonne King Charles, as his Majestie himselfe wes pleased to tell me; then which, a greater testimony of a gratious Master's favour, to ane absent Servant, at such a tyme, could not bee exprest.

II. Reasons why Somerset should not be executed. From the Autograph of Sir Archibald (first Lord) Napier.

Suppose this man guyltie of the cryme that he is charged with, yet it is nather for the King's honour nor profeit to destroy him.

All the honour that is to be gott that way is by opinion of justice; for clemency, the vertue wherby Princes approch nerest to God, hes no part in this cours: And what prayse is due to extremitie of Justice,—the best pairt thereof, example, and the profitablest, being alreddy, by the death of fower,[1] sufficiently established?

[1] There can be no doubt that this paper refers to the accusation against Somerset, and his notorious Countess, of having been the chief instigators of the murder to Sir Thomas Overbury, who is supposed of have died of poison administered to him while a prisoner in the Tower of London. Ere the two noble delinquents were

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The King's gratious and temperat maner in cases of lyk nature, ever in justice to remember mercy without prejudice of ather, being nothing lyk to the procedings of this, settills an opinion in the people's harts, that private designs, private hate, private satisfactioun, gifs motioun to this violent cours, and that justice is pretendit only.

If he be guylty, he remanes not without punishment in his own persoun that hes it in fame, and is cast from a great fortune, and the King's supream favour, into contempt and disgrace, carrying with him the conscience of a cryme, and a deserved punishment, altho he have lyf, land, and liberty.

If it be not for the King's honour, it is not for his profit; for matters of profit are the aymes of private endevoirs; Princes have them or may have them with ease; but a good fame is their gane, and to be purchased of tham at any rate; and where, in any consultation of theirs, profit comes to oppose itself to honour, it is reason that honour should cary it.

But what profit is to be expected that way? His estate is not sufficient to help the King's affaires; and if it be applyed to that use it will be thoght to be the caus of his death.[1]

arraigned for that crime, four individuals, their supposed tools, had been executed for the same:—viz. Richard Weston, Overbury's jailor; Anne Turner, the creature of the Countess of Somerset; Sir Gervase Elwes, Lieutenant of the Tower; and James Franklin, an apothecary. These were all hanged, at the close of the year 1615.

[1] This was a bold allusion. In a recent publication, entitled 'The Great Oyer of Poisoning: The Trial of the Earl of Somerset for the Poisoning of Sir Thomas Overbury in the Tower of London, and various matters connected therewith, from contemporary MSS. By Andrew Amos, Esq., late Member of the Supreme Council of India,'—the compiler observes: 'But of all Somerset's acquisitions, the possession of Sherborne Castle, the forfeited estate of Raleigh, was the most prejudicial to him on his trial, owing to the adverse sentiments it inspired. James's unfeeling reply to Lady Raleigh's supplications for the restoration of the estate,—"I mun have it for Carr," cannot be read of in the present day without indignation.' (P. 29.) The evidence is closely sifted in this industrious compilation.

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It may be sayd, 'that so the fortunes of others may be raysed, and the King furnished with meanes to bestow!' But when men shall see that the revenue of three kingdomes, the impositiones and subsidies from the people, cannot serve the excesse of these largesses, but that justice must be strayned also, to make the *rich* guilty, to furnish mater to that itching humour of bestowing, the profit will not in any sort counter value the losse.

For there will be nothing els but a generall fear and bad opinioun of the King, whereby he shall loose the kingdome of the people's harts, the next degree to the loss of that over ther bodyis and goods; for that Prince that will mak men affrayed hath reason to fear them agane.

It is a maxim of government that favours and graces ought to be bestowed at severall tymes, punishments and executions at once. If his Majesty gif way to the execution of these two noble persones,[1] efter so long a pause, men will think these executions will never end, since nather tyme nor satisfyed justice can mitigate the rigor,—

And that he is framing a precedent and a reason, by the rigor used to one in so great favour with him, and his countriman, wherby he may be excused to use the noblemen and gentlemen of Ingland with the lyk or greater rigor upon occasion.

The noblemen, and these of great place and trust about him, will never any moir, efter this man's destructioun, trust to his goodness, his favour,

[1] The Earl of Somerset and his Countess. On the 24th May 1616, the Countess was arraigned in Westminster Hall, and pleaded guilty. Sentence of death was pronounced by the High Stewart, and all but a distinct promise of pardon held out to her by Sir Francis Bacon, Attorney-General. On the following day the Earl was also tried before the same tribunal, pleaded not guilty, and defended himself with dignity and firmness. He, too, was condemned. But a perusal of the collections of Mr Amos will leave upon the mind of the reader the strongest impression that Somerset was really innocent of all participation in the murder of Overbury, and that he was the victim of a conspiracy in which the King, the great Bacon, and the no less illustrious Coke, played a mysterious and discreditable part. Lord Napier's contemporary lucubrations on the subject do not tend to diminish these impressions.

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or their own merit, but will seek to strengthen themselves with friendship, (a way much neglected by this man) and will secretly league and bind themselvs togither against the King's power; whereby he (not only) shall not be able to punish them if they deserve, but also, he shall find great difficulty to manage any bissines to his mynd that concernes any of them, so that he shall govern *precario* upon curtesy.[1]

Since therfoir it is nather for the King's honour nor his profeit to use him with extremity, being guilty,—when there is nothing but presumptions against him, which may fall upon the most innocent, it is far less profitable or honorable for his Majesty to suffer such extream persecution, or to deny him the ordinary favours, and meanes to clear himself, that are granted to men in lyk cace, or to expose him and his lyf to the search of his enymies, or to gif them liberty to shift their accusations, and seek new and forged crymes when the ould will not serve their turnes; these are infallible arguments and demonstrations to the world that justice is but pretended, and the overthro of the person *per fas et nefas*, by ryght or wrong, intended. In the course that is kept, his Majesty's honour suffers extreamly; for the people at first admired the King's justice, detested the person of the malefactour; but now the note is changed; for as they are called the beast with the many heads and the many eyes, som wherof ar so shairp sighted as they can perce into the secret causes of things thro the vailes and pretextes, so that it is impossible to abuse them any long tyme,—for never wer any so cunning as could deceave them all, nather did ever the generall and constant voyce of a people deceave any man,—this voyce speaketh ill of the proceedings and cariage of this bisines;[2] they are attentive to the event; if it fall out as most feareth, that beautiful face of the king's honour, that made all the world in love with it, sal be defaced with ane irreparable blemish, the love due to him lost, fear setled, and his security impared. But

[1] The next reign proved the truth of this.

[2] This notice of the state of public opinion on the subject is curious, and would have enraged Coke and Bacon.

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the end crounes the work. Never prince had a fairer opportunity to procure mortal fame, of a perfect Justiciar and a mercifull father. This is the point of tyme. If this occasion slip, there is no other hold. All that he can do afterwart is to small purpose; for *invisum semel principem seu benefacta seu malefacta premunt.* A prince ons hated suffers as well for his good deeds as his ill. If he use clemency, as he has satisfyed justice in this great exemple, he shall be beloved, honored, secured, and lyk God in this that mercy is the last work. But if he use not clemency, it will appeir that justice, which suld be, lyk the Lesbian reule, a constant and direct square to his actions, hes been, lyk a leden reule, wrested and turned to the will and passion of the workman, and that all that is builded therby shall prove ruinous, and lyk enough, if God do not prevent, to fall and (smother)[1] endanger him, which God avert.

III. The Earl of Somerset to Mr. John Hay, 20th Nov. 1624.

Sir,—I am to make known unto you, that there is some controversie likely to grow between the Executors of Mr George Heryot, his Majesties late jeweller deceased,[2] and my selfe, about a piece of work, which I did some yeares since intreate him to make for me; which in his lifetime I did earnestly desire to get out of his hands, and to come to an account

[1] In the MS. the word 'endanger' is substituted for 'smother,' through which the pen is drawn. It is not known what use was made of this earnest pleading. If meant for the King's eye or ear, it was very bold. That Somerset was not fairly dealt with is more than insinuated. Sir J. Hollis was accused of having said at Weston's trial, that 'if he were one of the jury he should not doubt what to do.' Sir J. Wentworth had also presumed to indicate his scepticism as to whether the confessions ascribed to Weston were true or not. Mr Lumsden had ventured to address a representation to the King, reflecting upon the conduct of Sir E. Coke in some of the preliminary proceedings against Weston. For such doubts and reflections these three gentlemen were tried, severely fined, and imprisoned. Sir E. Coke termed it 'empoisonment of the King's ear.'

[2] He died on the 12th of February 1624.

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with him for, and spent a great time in solliciting him to that purpose: ever intending to give him all reasonable satisfaction, of whatsoever should upon a just accompt betwixt us remaine due unto him. But, it being (partly by reason of his long sicknes, and partly upon some other causes now too long to be related) from time to time delayed, I am fallen into the hands of his executors, unto whom I make this just and reasonable offer: Mr. Heryot had of me, for the making up of the sword which I bespake of him, so many diamonds, and so much gold, as I conceived would goe neare to finish it; yet he added thereunto some stones of his owne, which with the workmanshipp, he ever told me, he thought would come to about £400, or £500: Now, in the accompts which he giveth me in of the sword, he valueth his stones and workmanshipp at £890, a proporcion doubly exceeding that which I ever understood from him they were likely to amount unto. I am ready to satisfye unto Mr. Heryot's Executors the full value of the things; but herein it is not fit that he himselfe, or I, should be our own judges: I doe therefore make this offer, that the stones put in by Mr. Heryot, and the workmanshipp, may be valued by two persons of judgment in commodities of this nature indifferently chosen betwixt us; and what they shall value them at, I will willingly yeeld unto, and make good payment. To this proposicion I finde the executors loth to give their assent; not because they hold it not reasonable, but because they say they are persons trusted for the disposing of the money set downe by Mr. Heryot to charitable uses in the Citye of Edinburgh, and so cannot yeeld to an abatement without the consent of the Citizens of that place; which consent that it may the more easily be obtained, I entreate you to represent unto them the justnes of my offer: which, I doubt not, but they will so well approve, as that by their assent a freindly and speedy end may be made betwixt us. This I desire out of the love I beare to that noble Citye of my Countrey; for whose sake I will rather buy that I have bespoken (and have bene thus long without) at a deare rate (so it be not too deare), then enter into any contestacion about it. So, committing the whole busynes to your approved care and

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discrecion, and intreating that so soone as conveniently may be, I may heare from you, and receive your answere, committ you to God's protection, and rest ever,

Your assured loving friend,

R. Somerset.[1]

Cheswicke, 20 Nov. 1624.

To my much respected friend Mr. John Hay,
Commissioner for the Citye of Edinburgh,
these be.

[1] The original of this curious letter from the ruined favourite to a most respectable citizen of Edinburgh, is in possession of James Maidment, Esq., to whom the Editor is indebted for its communication. It has not been previously printed. Nine years had elapsed between the date of it and the time when Somerset had to endure the unsparing invective of Bacon, in the face of an excited audience. There is nothing in this letter to solve the problem of his terrible fall; but it betokens a mind neither stretched on the rack of conscious guilt nor of abject poverty; and it is curious to compare it with this passage in Hume,—'To soften the rigour of their (Somerset and the Countess) fate, after some years' imprisonment he (James) restored them to their liberty, and conferred on them a pension, with which they retired, and languished out old age in infamy and obscurity. (Hist. vi. 78.) Yet it is now known that the King had renewed a confidential correspondence with Somerset not long before his own death. Hallam rashly pronounces that there can be no doubt of Somerset's guilt as to the murder. But the evidence on which he was condemned would not in these days be listened to in a court of justice; and, moreover, it is now unquestionably ascertained, that the evidence, such as it was, had only been rendered plausible by means of the Attorney-General, Sir Francis Bacon, dishonestly concocting it behind the scenes. The unhappy man, it would appear from the above letter, had retained a strong affection for his native country, which in an evil hour he quitted. Some contemporary writers allude to his origin as being obscure; but he was of high Border lineage. His father was Sir Thomas Ker of Ferniherst, and his mother a daughter of the house of Buccleuch. He was cousin-german to Sir Walter Scott of Buccleuch, famous for his Border exploits. Somerset had but one legitimate child, if legitimate the daughter of those nefarious and tragical nuptials can be called. Through that daughter, Somerset's heir of line is the Duke of Bedford, and his lineal descendant is at present Prime Minister of England.

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IV. John Seventh Earl of Marr, Lord Treasurer, to King James VI. 1st August 1623.

Most Graciouss Soveraign,—I received your Majestie's letter of the 21st of October, showing that ye have maed choiss of Sir Archibald Naper to be Treasurar Deput of this Kingdom, with the motives moving your Majestie to tak this courss. Sens your Majestie hath so resollved, I shall in all humilitie obey your direction. As for the gentillman, he is knawn to be both juditious and honest, and, as your Majestie wrytts in your awn letter, frie of partialitie or any factious humor; and I, wyth all my hartt, do wishe that all your Majestie's subjects war alls free of theis two fallts as I houp tym shall mak knawn to your Majestie that both he and I ar; in quhilk respects your Majestie heth made a good choiss. For myself, my caer and paens shall be nathing the less in forthering of your Majestie's service in all things incident to that place wiche your Majestie heth honored me with; and beseiking Allmichtie God to bliss your Majestie with many happie days, I rest

Your Majestie's most humble subject
and servitor,
Mar.[1]

Holyroudhouss, the
24th of November 1622.
To the King's most excellent Majestie.

[1] This Earl was the son of the Regent Mar. The white staff was put into his hand on the 17th December 1615 (being then taken from Somerset), and he resigned it in favor of Morton 12th April 1630. The above letter is from the original, among Sir James Balfour's MSS. preserved in the Library of the Faculty of Advocates.

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V. Sir Archibald (first Lord) Napier to King James VI.

Most Sacred Soverane,—There is comed doun, a little before the rysing of the Session, a signature, under your Majesty's hand, of almost all the Chaplelanries, Prebendaries, Alterages, and other small Church livings within the Kingdome, mortyfied to the Chaple Royall. I have, only, seene and perused it. The Lord Thesaurer, and Commissioners of your Majesty's rents have not yet seene it; and before the twenty of this month they ar not to meet, becaus of the vacation. Thefor I have taken the boldnes humbly to entreat your Majestie not to urge the passing of that Signature before the counsale day, which sal be on the twenty of August instant, at what tyme the Commissioners of your Majesty's rents will meet and consider of your Majestie's disadvantage, and other inconvenients that sall ensue, if any be; for I dout not but your Majestie sal be ernestly sollicited for that purpose, the pretext being so fair and your Majesty's inclination so pious. To provyd for the Chaple Royall in a large and ample mesure, is a good work, and worthye of the care of so gratious a Prince; but to do so by this mortification of all the chaplelanries almost in Scotland, wherby most of your Majesty's greatest subjects rights sal be questioned, and your Majesty's own liberality to poor students or ministers all uterly restrayned in this kynd, I kno not if, efter true information, your Majestie will think it fitt; especially when it may be done by mortifycation of a part of them, in a large mesure.[1] So, humbly craving pardon for this boldnes which

[1] Lord Napier, as will be manifest from various letters and papers throughout these Memorials, was deeply impressed with the idea, which his pupil Montrose imbibed from him, that 'Churchmen's greatness' was the source of the growing troubles to king and country. He lived to see the power which he deprecated transferred from Bishops to Scotch preachers, without any amelioration of its temper, or diminution of its pride.

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my duty enforces, I take my leave, praying eternall God long to preserve your Majestie in all happines over us.

Your Majesty's true and humble Servant,

ARCHIBALD NAPER.

Edinburgh, 1 August 1623.

To the King's most Excellent Majestie.

VI. SIR ARCHIBALD (FIRST LORD) NAPIER TO JAMES VI. 11th December 1623.

MOST SACRED SOVERANE,—Being by your Majesties favour admitted in the place of Justice clerk, I think it my dewtie to gif your majestie information of the estate of it at my entrie. I find great confusion and disordour in the place; and next, many principall parts of that office exerced by commissions, and by other judges not competent, throw former negligence, whereby that judicature, where the cheef poynt of your Majesties Soveran power ought to be exerced, hes now lost much of the ancient power and dignity. For the disordour it may be much amended by my care, which shall not be wanting. The other losses or abuses will requyre your Majesties special directioun, to the counsall by your Majesties letter, requyring them to sie all maters belonging to that judicature retourned agayne to it, to be handeled ther as ought to be, and as wes wont to be. The particulers (if so it please your Majestie) to be reformed, for awoyding your Majesties truble, I have sent up to James Dowglas, that, when your Majestie sal be pleasd to wreat to the counsell to this purpose, he may show your Majestie these articles, and receave your Majesties direction ather conform to them, or otherways as your Majestie in your great wisdome shall think expedient, to which I most humbly submitt myself, with most reddy mynd to perform your Majesties plesour in that or any thing els, as I am bound far more than I am able to express. So humbly craiving your Majesties pardon for my boldnes,

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and praying Almighty God to bless your Majestie with a long and happy lyf, and all other his good blessings, I tak my leave.

Your Ma.ᵉ humble and obedient subject and servaunt,

AR. NAPER.[1]

Edinburgh, 11th December 1623.

[1] Among Sir James Balfour's Collections preserved in the Advocates' Library, there are several original letters on the subject of the appointment of Justice Clerk, at this time. On the 20th Dec. 1622, Alexander Colville, the Justice Depute, expresses himself with great anxiety, in a letter to Lord Annan, on the subject; because, he says, 'he who is presentlie Justice Clerc, the Laird of Ormiston, is so afflicted with extreame age, blindness, and other infirmities, that he is altogether disabled either to walk abroad, or discharge his place, and by all appearance not long to survive.' Colville earnestly recommends that the office should 'not be given to thois that seeke it, but to thois that are worthie of it; and as the lyvis of men ar more pretious then their goods, so lett the worthines of him be respected to quhome the lyvis of men are to be trusted; for if he quho is to be enclosed with assyssors, (who for the most ar rud and ignorant) depending much upon the clerc his information, if he, I say, be not a sound conscientious man, and frie of baise bribrie, he may prove a pernitious instrument, and be the cause that iniquitie may be committed; as we have yit in memorie of one Thomas Scot of Abbotishall, quo was Justice Clerc to James the fyfth of happie memorie, quho being stricken with a terror of conscience at the hour of his death, for his evil carriage in that place, dyed in disparation, crying, "I am damned, I am damned." Yet, among all utheris, young men, and men of great clannis are most dangerous for that place.' The appointment of Sir Archibald Napier was quite satisfactory to the worthy Depute, who in a subsequent letter to Lord Annan speaks of his Majesty's 'happie choyce of Sir Archibald Naper, a worthie gentleman, and a conscientious.' Sir Archibald returned the compliment; for in a letter to Lord Annan, announcing his intention to reform the abuses of the office, he adds: 'It will not be a little grace to the place if Mr Alexr. Colvill, Justice Depute, suld have a little augmentation of his poore pension, for he is an honest panefull man.' These were strange times when, although honesty was understood and duly appreciated, yet was corruption so nearly a matter of course, that the Justice Depute thought it not unlikely that an office such as he describes, and which was only filled by men of high station and repute, might be given to one who was neither a 'conscientious man,' nor 'frie from baise bribrie.' Napier was scarcely long enough in the office to effect his scheme of reform, being soon after removed to an extraordinary seat in 'the Session,' under the rule which excluded officers of state from the ordinary bench, in the second year of the reign.

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VII. King James VI. to Sir Archibald (first Lord) Napier.

James R.—Trustie and welbeloved councillour wee greet you well. Whereas wee have bene credible enformed that the Byshoppe of Dumblane having, oute of the necessitie of his affaires, made offer to you of his pension to be boughte for our use, was refused by you becaus yee have transacted with so manie alreadie as yee doubte of the incomming of so much monie, eyther of our taxation or otherwyse, as will serve to pay them at Whitsunday nexte, according to the agreement, by which your refusal the said Byshoppe (as wee are informed) may suffer some losse in his credite at this nexte terme, wee have therefor thoughte good by these presentes to require you to advance him, if convenientlie yee may, so much monie of your own as you have agreede to give of ours to anie other for the like sume, and to keepe the said Bishoppe's pension in your owne hand, and take it up to your owne use, till we be furnished of monie to buy the same back againe frome you. In which behalfe as these presentes shal be unto you a sufficient warrant, wee bid you farewell. Given at our Manour of Theobaldes the 19th day of April, 1624.

To our trustie and welbeloved Counsellour Sir Archibald Naper of Merchinston, Knighte, Our Deputie Treasurer of our Kingdome of Scotland, &c., these.

VIII. King James VI. to Sir Archibald (first Lord) Napier.

James R.—Trustie and welbeloved counsellor we greete you well. Wheras Maister Peter Stewarte, liferenter of the Abbacie of Crosraguell, is denounced our rebell, and hath lyen at our horn above the space of a wholle yeare, which is not onlie a great scandall to his profession,

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but likewyse his escheate and liferent is fallen in our handes. Yet, becaus we wolde not willinglie use extremitie against him, wee are well pleased that you deal with him upon such reasonable conditions as yee and he shall agree upon, to dimitte his said liferent to us, that wee may dispose upon the said Abbacie as we shall thinke moste convenient. Moreover, becaus the parochin of Kilmadok is so spatious as the people cannot convenientlie repaire to the paroch kirk, speciallie in the winter time, so as it is requisite that the said paroch be devided and a new kirk builte in the streth of Monteth, wee have thought good by these presents to require you to see the said division made, and assiste the building of the said new kirk. And because it is requisite that the said kirk shoulde be provided of sufficient mayntenance for the minister, wee are well pleased that yee buie the pension of Maister James Niniene to be a beginning and a parte of the stipende for serving that cure; and moreover that yee deale with the Earle of Mar not onlie to mortifie the said pension to the said kirk, but also to augment the same, that it may be sufficient mayntenance to the minister in all time coming, in respect that the said parochin of Kilmadok is in his erection of Inchmahomo: And herein requiring your earnest care and diligence wee bid you farewell. Given at Royston the 7th of October 1624.[1]

To our trustie and welbeloved Counsellour Sir Archibald Naper our Deputie Treasurer of our Kingdom of Scotland.

IX. From Lord Napier's Autograph Relation.

King James being dead, and his sonne King Charles succeeding to him in his kingdome, and to his vertues too, (although with some want

[1] 'Sunday the 27 of March this yeire (1625), in the foornonne, dyed K. James, of most famous and worthey memorey, (surnamed the Kinge of Peace, honored and admired by the greatest Kinges of the worlde, for his wisdome and prudent government) not without grate and pregnant suspitione of poysone.'—(Balfour's Annales.)

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of experience, which is only got with tyme) all the turbulent and discontented humors of the former tyme were up (as is usuall in these great transitions) and plyed his Majestie uncessantly with accusations, personall aspersions, new projects, and informations of abuses. And truely there wanted not matter, and there endeavors had deserved praise, if splene to the persons of men, and there own privat interest, had not gevin lyfe and motion to there proceedings, rather then the service of the King, and the good of the state. Then was there nothing but factions, and factious consultations, of the one, to hold that place and power they possest before, of the other, to wrest it out of there hands, and to invest themselves. And no dreame or fantasy of innovation came in any bodies head, but presently he durst vent it to the King; and still the most ignorant were boldest. Neither wanted there some honest and wyse men who gave there advyse out of mere affection to his Majestie and the publique; but wanting that bold forwardness, and factious assistance, which the other had in prosecution of there privat ends, no great hold wes taken of them.[1] The Thesaurer wes not free from this storme, but was charg'd home by his enemies with some abuses in the King's presence, which they were not well able to make appeare. Therefore there wes a Gentleman direct to me, desyring me to give them intelligence upon what poynts my Lord might bee charged, with assurance from them that it should never bee knowne, and, before I should declare any thing in that kynd, I should have assurance from the King's own mouth, and my Lord of Buckingham, of the whyte staffe. This I flatly refused, as ane office unworthy of a Gentleman, and told him that I disdained any honour that should be acquyred by so dishonorable meanes against a man that wes in termes of outward friendship with me, although I knew

[1] See next No., which appears to have been the scheme, for the government of Scotland, proposed to King Charles the First, by Napier, at the commencement of the reign, and of which, probably, no great hold was taken, as he expresses it.

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hee had no friendly intentions toward me; but I wes evill requited, and it may be, because this motion made to me, and my refuse, came never to his eares.

The bussines of Tythes, amongst others, wes most constantly prosecuted by his Majestie, a purpose of his Father's, or his owne, who, finding the heavy oppression of teynd-masters, and the servitude of the people, did earnestly endeavour to remed it. But in this, as in other matters, what truly might be said to be his (which were his intentions only) wes most just and princely: but the meanes (which were other mens inventions) were most unfit to compasse his ends, but fit enough to serve there turnes that found there privat prejudice to rander the bussines intricat, longsome, and difficult, upon hope his Majestie would relinquish the same.[1] Neither was this forme of proceeding displeasing to some most entrusted; for by the difficulty they did endeare there services, and in the meane tyme, giving his Majestie hopes of great matters, they drew from him present and certaine benefites above the proportion of there merit, or of his Majestie's ability heir. Of the Commission of the Tythes I had the honour to be one, and according to my duety and power did advance his Majestie's just and gratious purpose. This, and my integrity in the Kings fathers tyme, together with the title of Lord (his Majestie's first favour in that kynd to a Scottish-man) and a Lease of Orknay bestowed upon me, did so much offend the cheefe Statesmen, who were the greatest teynd-masters also, and (be a great incongruity)

[1] When the general revocation was first proposed, the King met with a violent resistance from interested individuals, several of whom were at the very time disgusting his majesty with petty factions at court. Mar, Haddington, Roxburgh, Morton, and the Chancellor Sir George Hay (Kinnoull), were, from personal motives, among the leaders of that opposition, which, we are told by Burnet, had very nearly occasioned an extraordinary scene of assassination and massacre when Nithisdale came to Scotland, commissioned by the monarch to make good the revocation. It was after this failure that the famous 'Commission of Surrenders of Superiorities and Tithes' was issued in the year 1627. An important letter on the subject from Napier will be found *infra*.

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members of this Commission, that in there private meetings they concluded my overthrow; whereof I got privat intelligence, but did no whit swerve from my duety for that. They set on Mr David Fullarton, a Receaver, a young man of litle wit, to disperse calumnyes against me in the Court, to try how they would be receaved or seconded, whom I brought before the King, in presence of the Lords of Exchequer, and whose answeres were so poore and excuses so frivolous, as made even those present who set him on to be ashamed.

X. Sir Archibald (first Lord) Napier, to King Charles I.

Offers of useful service to your Majesty, some few propositions being first premised wherby the use of that service may be better knowen. And first:

That the estate of bissines is oftymes disguysed to princes for privat ends.

That the truth of bissines is hardly to be expected from the relations of great men, whose frendships and dependancies extend far; or from men *factious;* or from such servants as endevoir to build up there fortunes with there own hands, not leaving it to there master's to do (so) upon their good deserving.

That from *misinformation,* all errors, incongruities in maters of estate, and mistaking of the true meanes, wherby the just and gratious purposes of princes come to be disapoynted, do proceed.

That it is not easie to distinguish truth from falshode, seconded by frends, and supported by reasons probable.

That it is impossible to do any thing conveniently or rightly, or to determine any thing *de jure,* if first it be known how it is *de facto.*

That the justest and wysest princes must err in there directions giffin upon sinister information of the estate of the bissines in hand.

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That it is an easie mater to a just prince, by following only the bent of his own inclination, to gyf such directions and commands, upon maters perfytly known to him, as therby he may reape honour, profitt, the love of his subjects, and the reputation of wisdom and justice.

The truth of these forsayd propositions being so wel known to your Majesty, it wer impertinent to me to go about to prove. But to be a meanes and instrument wherby the true estate of bissines of Scotland, a place remote, may be conveyed to your sacread ears, is the best and most useful service can fall within the compas of my power, the height of whose endevour is to be a fathful servant, and not to mak an injust clame to eminent abilities. If, therfore, your Majesty may be pleased to prefer some honest and wel-deserving servant to the place I hold of your Majesty, and to gif me some place of acces to your Majesty's person, (without which, services of that kynd are nearly unuseful) and a reasonable meanes that I be not forced to undo my own estate, and instead of an usefull servant become a troublesome suter, (whearby there sal be more by many degries broght in, and saved in your Majesty's coffers,) then I do humbly offer and undertake,—

To establish such correspondense in most pairts of Scotland, and in all the courts and judicatures therof, with men honest and juditious, not interessed in affairs, and not knowing one of another, who sal gif me true intelligence of the estate of every bissines which shall occurr; and if any one of them shall chance to be partially effected, the relation of the others shall controll what is amiss in his. Which relations sal be made known to your Majesty be me, without passion or affection, and without respect to any end of my own or of others, as I shall answer to God in consciens, to your Majesty upon my alledgeance, and under payne of your hyest displeasure. Wherby your Majesty shall reape these commodities following, and many more.

1. As the cloudes which obscure and darkneth the sun ar dispersed by the heat of the same, so shall the cloud of factions, compacted to no other end but to misinforme your Majesty for there privat advantage,

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and to the prejudice of your Majesty's just and gratious designes, be dissolved by the knoledg of the true estate of things; and your Majesty's resolutions and directions, proceding from that knoledg, being constant and absolute, shall rander there combinations vayne and of no force, and your Majesty's affairs shall go more smoothly than hitherto they have gone.

2. All your Majesty's officiers there shall endevoir to approve themselfs to your Majesty be there fathfull service, when they sall sie that there demeanour is trulie knowen to you, and shall not trust any more to the recommendation of there faction, whose maner is to endear to your Majesty the worst services of there syd, and to disable and traduce others who ar not of there cabal, although your Majesty's true servants. So shall your Majesty be wel served, and your subjects made happy.

3. I undertak that no man imployed in receaving or debursing of moneys, of any kynd belonging to your Majesty, shal be able to deceave your Majesty, or convert it to there own use, but it sal be made knowen to your Majesty, which is no small benefitt in regard of the former cariage of bissines.

4. No more gifts shall be procured from your Majesty surreptitiously, or upon wrang narratifs, and the true value shall be made known.

5. This perpetuall confluens of the Scottish nation hither, (who come up ather to procure unjust things by meanes of there frends, or to recal such things purchest upon wrong information tending to there detriment, wherby your Majesty is excedingly troubled, they undone, and that kingdome exhausted and drayned of money), shall be much diminished.

These commodities, and many more, shall redound to your Majesty by knoledg of the true estate of bissines, which I do humbly offer to procure, if your Majesty do think that I can be fathfull. But if it sall not pleas your Majesty to embrace or lyk of these offers, I shall pray Almighty God, who hath the harts of princes in his hand, to direct your Majesty to a better cours then this for your Majesty's own good and that of your subjects.

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XI. Reckipt from Archibald first Lord Napier, as Montrose's Curator, June 1627.

Receaved be us, Archibald Lord Naper of Merchiestoun, fra James Duncan factor of Mugdok, the sowme of twelf hundret merks money, to gif out for the Erle of Montrose his orders,[1] quhilk sowme I obleiss me to caus be allowed to the said James Duncan in his compt of discharge of the Whitsunday terms payment of the rent of the baronies of Mugdok and Dindaf in anno 1627 yeires, be thir presents subscryvit at Edinburgh the [blank] day of Junij 1627.

Naper.

XII. Archibald, first Lord Napier, to Montrose's factor of Mugdok, 12th April 1628.

Assured Frende,—These are to intreat you (becaus the King's affaires urges my way going) to be heir precisly upon the sixteene day of this instant. I have appointed Claverhous[2] to meet you heir that same day; becaus there are many things to do I wald have your meeting soner than wes appoynted when yee wer heir. Claverhous desires me still in his letters to desir you to bring with you the true rentall; and therfoir I entreat you to bring it with you, that we may kno what every tenent in particular payes, as is most requisit now, when they ar to tak

[1] Montrose having just succeeded to his father, as we shall afterwards find, was under curators at this time.

[2] Sir William Graham of Claverhouse, one of Montrose's Curators, to be afterwards mentioned.

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fewes, the ignorance whereof may hinder all the bisines at this time. So not doubting of your repairing hither at the said day, I rest,

Your very loving frend,

NAPER.

Edinburgh, 12 Ap. 1628.

To my assured frende, James Duncan,
Burges of Glasgow.

XIII. INTENDED PROGRESS OF KING CHARLES I. TO SCOTLAND IN 1628. FROM LORD NAPIER'S MS.

About this time [1628] his Majestie intended a journey into Scotland, but no money being in his coffers there, Chancellor Hay made offer of ten thousand pound sterling for his Majestie's entertainment during the tyme of his aboad there, vpon condition he might have the collection of the taxation, at which he ever aimed most earnestly for the hid profit that wes therein, especially the extraordinary, ane imposition of his owne invention. This galled Monteth, Nithisdale, and that faction, who left no means unattempted to crosse the same: but it wes still intertained, no other appearing to offer a better expedient. They dealt earnestly with me to make offer of money, and promised to concurre for the levying, alleadging the Thesaurer's indignity, and myne, if another should doe that which belonged to our place. Litle did there speaches move me, (who knew there ends,) and there promises lesse; assuring

[1] The urgent affairs of the King, to which Napier alludes, were the arrangements for his Majesty's intended progress to Scotland in this year, to be crowned, and hold a Parliament. Had the factious disputes of the Scottish councillors not interfered with this progress, which did not occur until 1633, when Montrose was on his travels, the young nobleman would then have been introduced to his Sovereign, by which the complexion of Montrose's fortunes might have been entirely changed.

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my selfe, that whoever advanced the money, the Thesaurer and I wes to see it spent, and to order the entertainment; and, esteeming the Chancellor's advancing of money no greater indignity to us then if it were done be a merchant, I never stird till I vnderstood, else where, that the Chancellor had sent to Scotland for Sir James Baillie, and that there purpose wes, the one by advancing money, the other by making provisions, to thrust my Lord Thesaurer and me out of all employment; and, considering the avarice of the one, and the ambition of the other, I wes confident of my intelligence. Then suffred I my selfe to be persuaded by Monteith and Nithisdale and the rest, and made offer to his Majestie of so much as should serve him during his abod in Scotland, telling that I did beleive the Lord Thesaurer would do the lyke, without other condition then assurance of repayment, leaving the rest to his Majestie's good pleasure. He tooke my offer in very good part, commanding me to repair to him within two dayes for answere: which I did. Then he told me, he would employ all the States-men (of whom I wes one) to take up the money, giving them assurance upon his rents and taxations. I did much commend his Majesties purpose, and wes glad of it; for thereby I wes fred from the hazard of advancement of so great a soume, and the rights of our place wes not in the course to be empared. To this effect his Majestie sent letters to the Officiars of Estate who were in Scotland. This delay, together with the advyse of the Lords English and Scottish, did put off his journey till the next Spring; and he went a progresse, and I took my leave for Scotland. But whill his Majestie was at Beaulieu, the answere of his letter came vp, not only refusing his desyre, but advysing him to call a Convention, and impose (I vse there very words) a taxation: and if his Majestie would needs have them leavy money, they thought it reasonable that every man, having warrands, fees, or pensions out of the Exchequer (who indeed for the most part are poore, and have no other meanes to

[1] See the Royal letters *infra*.

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live) should bind with them for the money. At which his Majestie wes much offended, as he had good reason, and did suspect that they had no mynd to see him there.[1] At this tyme, Archibald Campbell being at Court wes told of the letter be the Secretary, who asked him, where I was, and if I would yet vndertake to furnish the King money for his journey. He ansuered that I wes still in London, and wes assured, that I would doe any thing I wes able for the King's service. This being reported to the King, Archibald Campbell wes presently dispatched away with a letter for me. When I came his Majestie told me that he receaved a most shamefull refusall, and asked me what I would doe for him. Nothing Sir (said I) les then I am able; and if my friends, who are to engage themselves for me, shall see a sure way of releife, if ye want mǫney, ye shall blame me; but I will desyre your Majestie to give commission to your Officiars to order your entertainment, and if things be not orderly done, let your Majestie blame them, for I cannot take that upon me. Then his Majestie to that effect

[1] Hammond l'Estrange, a contemporary chronicler, though he records the fact of the King's abortive plans for visiting Scotland, seems not to have known the real state of the case. He attributes the failures to Charles's own disinclination. 'Something or other,' he says, 'came ever travers and thwart in the very nick of time, and put him by, so that his often preparations for Scotland resembled those of Tiberius for visiting provinces remote, which gave him the byname of *Callipedes*, who was ever going, yet never went; and the Scots themselves, none of the most candid interpreters of this King's actions, looke upon it no otherwayes than as a meer mockery. The truth is, the King had no great stomach to the journey. For as the place had nothing of amenity or delight, so the nation or race of men were not fashioned to the mode of England's civilities, but, under the scheme of an honest animosity, and specious plain dealing, most perfidious.' (Annals of the Reign of Charles I., 1656, p. 129.)

None of our great historians seem to have been aware of this frustrated design of the harassed monarch. Clarendon records the King's first journey into Scotland, in 1633, as if Charles had then indulged his earliest inclination to that effect, and with the ease and serenity of one going out for a pleasant walk, as the humour seized him. Lord Napier's MS., and the following papers in the text, afford a view behind the scenes not to be obtained from any other record of the times.

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appoynted a Commission, and willed me to devyse my owne surety, and commanded the Secretary to draw vp what warrands I pleased for the same. I asked the Secretary what course wes to be taken with the Lord Thesaurer, who I thought wes not to be neglected; but he answered, that the Lord Thesaurer's hand wes at the letter of refusall, and therefore will take it ill, if wee shall draw down vpon him a burthen which he is not willing to vndergo, and may hurt his house if he dye, being now ane old Man. But I, knowing his humor, and to testify the respect I ought him, with the Secretary procured a letter from his Majestie to him, putting the accepting or refusing in his owne choyce. But it wes drawne up by the Secretary, (to whom I entrusted it, as belonging to him) with words derogatory (as he alleadged) to his honor,—of set purpose to put vs together by the eares:—for, so long as the Thesaurers, principall and Deputy, did concurre to the King's service, he well knew, that his doings to the King's prejudice, and his owne gaine, would not have so faire way.[1] Thes warrants being signed, I went about the furnising of such things as could not be conveniently had in Scotland, specially the banqueting stuffe, for which I agreed with Robert Walthew Sergeant of the Kings confectionary, at ordinary rates for ready money, not daring to trust any other with that which wes for the King's owne mouth: and at Archibald Campbell's desyre did offer the employment vnder me to Sir James Baily, of whom (because I shall

[1] This was Sir William Alexander of Menstrie, created Earl of Stirling by Charles I., and celebrated both as a poet and a courtier. 'He travelled through Italy and France with his Lord superior the Earl of Argyle, where he attained to the French and Italian tongues. He got great things from his Majesty, as especially a liberty to create a hundred Scotsmen knights-baronet, (of Nova Scotia,) from every one of whom he got L.200 sterling, or thereby; a liberty to coin base money, far under the value of the weight of copper, which brought great prejudice to the kingdom; at which time he built his great lodging in Stirling, and put on the gate thereof *Per mare, per terras*, which a merry man changed, *per metre, per turners*, meaning that he had attained to his estate by poesy and that gift of base money.' (Scot of Scotstarvet's Manuscript, Advocates' Library.)

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have often occasion to name him) I shall once for all give this Character. He wes basely borne, and had his education vnder a Butcher; the height of his ability wes to be clark of a kitchin; extremly ambitious, and, to attaine his ends, would give largely of that which he had got indirectly. This man did refuse it,—knowing, be long experience, that hardly sould he make vnlawfull benefit where I wes to looke to him,—pretending disability, and a desyre to retire from publick services; whereby I conjectured that he had some wicked purposes; as indeed he had, for, within two dayes after, he went to Scotland, possest the Lord Thesaurer that I went about to take his place from him, and perceaving the Officiars of Estate to be so offended with me, for daring to vndertake what they had refused, that they resolved not to give way to any warrand I should bring downe, conceaved hopes that be there means I might be displaced, and himself succeed.[1]

[1] Sir James Balfour, in his quaint Annals, records:—'About the end of July, this yeir (1628), the King did resolve to come to Scotland to be crouned heir; and for that purpois did wreatt letters to the counsaill heir, indicting a parliament to hold at Edinbrughe the 15 day of September, this same yeire; bot in respecte his Majesties housses and uther thinges necessarey against that time could not be in redinesse, the Lordes of his privey counsaill intreated him to deferr his journey untill May in the following yeire, 1629, to which his Majestie condescendit, and sent his commandes for contineuing the parliament untill that tyme. His design was to have come doune post; bot the Lord Chanceler, Hay, diswadit him from that, as a coursse derogatorey from his honor and gratenes, that with a few servants he should goe post to a Kingdome that he had never bean in since his chyldhood, and that in a worsse fashon then his father King James did in August 1617; bot rather in grater pompe and stait, being about to receave his croune, as also to make his first entrey amongst his native people. The King took this advysse verey kindlie, and applaudit the Lord Chanceler heighly for giving it.' It is amusing to compare this very simple and respectable version of these transactions, with the secret springs, and petty storm of faction, from which the papers in the text withdraw the veil. Sir James Balfour was not behind the scenes.

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XIV. Coppie of the Kingis Letters for my Lord Napeir, 1628.

1.

To the Exchequer.

Right Trusty, &c. Wee greete you well. Haveing considered that the charges requisite for entertayning oure house during the tyme of our aboade in that Kingdome to ressave our Croun, and to hold a Parliament there, which of necessitie doth require present moneyis, and in regard of our grit affairs wee cannot convenientlie afford them at this tyme, and that wee intend to tak such a course for levying of them that none of our subjectis can have caus to complaine, nor yet to suspect our royall intention in seeing them at the tyme appointit by us; wee have been pleased to move our Deputie Thesaurer, who wes here for the tyme, to borrow those moneyis at this tyme for our said use; and to the effect that he nor no others who shall joyne with him should anywise suffer for their affection to our service, or be in danger of not being payed of what they shall undergo for the same, wee are heirby willing to grant unto them any assurance that they can ressonablie demand or that wee can lawfullie grant for their relief: Our pleasure is that there be granted unto him and them any securitie he shall require, upon our rentis, casualties, and taxationes present or to come in generall, or by particular assignmentis by actis of Counsell and Exchequer, or by Commissiones of retromission with the same, under our seill, as he or his counsall at law shall devyse for his or his forsaids securitie; and that all impedimentis that can arrise in their uptaking the saidis rentis, casualties, and taxationes, present and to come, whereby he or they may be hindered frielie to intromett with the same, be removed by you, till they be satisfeid of all moneyis disbursed by them for this purpose with the ordinarie intrest for the same during the tyme of the forberance therof: Provyded alwise that such moneyis as have been alreddy disbursed, for the present use of our comeing, by our Thesaurer, be first payed or

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secured unto him; and excepting such moneyis as wee pleased to reserve by that letter written unto you, touching the engadging our Officers of State for this purpose; which moneyis wee will first to be payed or secured to the persones interessed, according to our first royall intention. Southwick, 28 of August, 1628.

2.

To the Earle of Mar.

Right Trusty, &c. Wee greete you well. Haveing considered the charges requisite for provision of our house during the tyme of our aboade in that our ancient Kingdome, which of necessitie doth require present money, and which in regard of our grit and important affairs we cannot at this tyme convenientlie afford, we have been pleased to move our Deputie Thesaurer, who happened to be here for the tyme, to undergo the burding for levying of the same, granting him any security he can require, upon our rentis, casualties, or taxationes, present and to come, you being first secured of such moneyis as shall appeare that you of late have layed out for our use, wherein wee have found your affectione to our service, and for which we give you hertelie thanks; and excepting the payment of such moneyis as wee wer pleased to reserve by that letter written unto our Exchequer touching the ingadgeing our Officers of State for this purpose; which moneyis wee will to be payed or secured to the persones interested, according to our first royall intention; and if you will be content to raise the halfe of those moneyis requisite for the said use, with our said Deputie, wee are willing that you be equallie secured with him upon our saids rentis and others forsaidis: Whereunto, in regaird of your former disbursements for our use, wee will not further move you then you think you may convenientlie do; alwise desireing you to continue your best endevours for seeing all things in good order, against the time appointed for our comeing there. Wee bid you fairwell. Southwick, 28 of August, 1628.

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3.

Warrant for compoising the Master Household.

Haveing at this tyme put the charge upon our Deputie Thesaurer for levying of moneyis for the intertaynment of our houshold during our aboade in that our kyngdome, and being willing that all thingis touching our intertaynment, and order of our hous, should be so circumspectlie considered of befoir that at our comeing nothing should be wanting, or out of due order; wee, out of a confidence of your sufficiencie and affection to our service, have maid choice of you to whom these presents are directed as our Commissioners for this purpos, requireing and herby authorizing you to convene togidder, both befoir and after our comeing ther, and taking unto your assistance the Master of our houshold, to be named by us, to consult touching all thingis which anywise may concerne the order of our houshold, our intertaynment and provisiones necessarie, and to see the same ordered and performed accordinglie; and wee ar willing, if so you shall think expedient, to authorise you in this service after any other manner you shall think requisite: Wherein wee will that one of the clerks of our privie counsell be imployed as your clerk in your proceeding therein. Southwick, 28 of August, 1628.

Chancellor	Lord Naper	Master Household last[3]
Thesaurer	Sir Andro Ker	Lord Colvin
President of the Counsall	One of the Secretaries	Lord Burleigh
Privie Seall	Clerk Register or	Sir Michael Elphinston
Bishop of Rofse	ony of them	Sir James Dundas
Lord Carnegie[1]	the being	Sir William Seaton, in
	alwise one.[2]	place of Sir Michaell Elphinston

[1] Montrose's father-in-law. [2] These blanks are in the MS. [3] Sic in orig.

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4.

To the Toun of Edinburgh.

Trusty and weilbeloved, wee greete you well. Having considered the necessitie of using present moneyis for the entertainment of our houshold during our aboade in that our ancient Kingdome, wee have been pleased to require our Deputie Thesaurer to tak upon him the charge for borrowing moneyis for that purpose, who for his assurance is to have what securitie he can devise upon our rentis, casualties, and taxationes present and to come, wherby he, nor none who shall go on with him in this kind, shalbe theirby prejudgit, so if he shall have occasion to use your assistance for raising any moneyis for this purpose, we desire you so far to further him therein as you shall find yourselfes sufficientlie secured, and that thereby you be maid no loosers by this meanes; which wee will tak as acceptable service done unto us, and whereof wee will not be unmyndfull. Southwick, 28 of August, 1628.[1]

[1] The above four letters seem to be the original drafts of Lord Napier's warrants from the King, to prepare for his reception in Scotland. From interested motives, and jealousy of the bearer, they were resisted by the Treasurer, Mar, the Chancellor, Hay, the President of the Council, Monteith, and others of that faction. 'All my warrants were refused,' says Napier,—'and letters sent up extolling my Lord Thesaurer's care and readiness in the King's service; and to excuse his subscribing of the letter wherein they refused the King's demand, this pretty distinction wes found out,—that he had subscribed that letter as an officiar of state among the rest, but, as Thesaurer, he wes most willing to undertake the service.' 'My warrands being refused I resolved to goe up to show his Majestie what rubs his service had got in my person, that his service might not be disapoynted, but that he might remove these, or take some other course in due tyme.' The old Treasurer, who by this time had one foot in the grave, forgetting how he had commended Napier to James VI., as being 'knawn to be both juditious and honest, and, as your Majestie writes in your awin letter, frie of partialitie or any factious humour,' essayed every art of faction to detain his persecuted colleague, and prejudice him with the King. 'But,' says Napier, 'I took my leave, and told him that I wes to goe up to lay downe that employment at his Majesties feet, to be disposed

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XV. Back-bond from the Sergeant of the King's Confectionary to Lord Napier.

Be it knowen to all men, that wheras Archibald Lord Naper is to procure me to be employed in furnishing his Majesty of confections of all sortes during his Majestie's abode in Scotland, and hes covenanted and agreit with me to that effect, at the rates and pryces following, To wit, all naturall drye confections at six sh. 4d. per pound; the pastes and preserves at 3 sh. 4d. per pound; and savoy amber, savoy pistache amber, and savoy fennell amber, at 13 sh. 4d. per pound, one sort with another; and severall sortes of ordinary confects at eightene pence per pound, as in the indenture made betwix us of the date the 12 day of September anno domini 1628 is contained: Notwithstanding, for the benefitt I am to reape by the sayd employment, I am content to be bound, and by these presents do bind myself, my airs, executors and assignes, that I sall seek no more from the said Lord Naper, but that I, my aires and assignes sall rest satisfied and contented with four shilling six pence per pound for naturall dryed of all sortes, and with two shil-

of as he pleased. Sir James Baily came to Court before me, with all my Lord's letters to his friends, but had no good acceptance from the King. When I came his Majestie receaved me so gratiously as I and all others thought I should be only employed.' But Napier was followed to Court by the Treasurer, the Chancellor, and the President, who there raised such a storm of calumny about his ears as threw him out of favour for a short time, and entirely crossed the design of the King to be crowned in Scotland, in that year, 1628. It is curious to observe that these preparations for Charles's progress were going on at the very time of the assassination of Buckingham, yet Lord Napier does not allude to the fact. The warrants are dated at Southwick, on the fifth day after the murder which so powerfully affected the King. 'At this time,' (23d August 1628,) says Balfour, 'the King and Courte lay at Southwicke, some sex miles from Portsmouthe; with many teares he lamented the Duckes untymous death; yet, in his passion, was not heard to utter aney worsse expressions, then,—"Who can withstand the hand of Heaven!"' (Sir James Balfour's *Annals*, vol. ii. p. 173.)

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lings sixpence for the pound of pastes and preserves, and for savoy amber, savoy pistach amber, and savoy fennell amber, ten shillings per pound; and for pound of ordinary confects, fourtene pence; and that of these confectiones as salbe spent for his Majestie's own use only; and for such confections as salbe sente be me for the use of the countrie, I oblige me and my foresaid that what pryce I sall receave above fyve shillings for the naturells, three shillings for pastes and preserves, and for savoy fennell amber, savoy pistach amber, and savoy fennell amber, above ten shillings per pound, and for the ordinary comfits above fourtene pence the pound, salbe equally shared betwix me and any the Lord Naper sall appoynt. In witness wherof I have subscryved these presents with my hand, before these witnes, Archibald Campbell brother to Sir James Campbell of Lawers, Alexander Naper, brother to the sayd Lord Naper, and Alexander Naper [Rofs?] burges of Edinburgh. At Westminster the 12 day of September, 1628.

Ro. Walthew.

Ar. Campbell, witness.
A. Ross, witness.
Alexr. Napier, witness.

[Endorsed by the Secretary.]

24 Dec. 1629, I have this day recieved this bakband from the Lord Naper, to be delyvered up to his Majesty.

[1] This document affords a very curious illustration of the Times, and of the ways and means of the Sovereign. It is as well for Lord Napier's credit that he has left so clear an explanation of it. The device of this backbond was not to put the profit in his own pocket, but to economize the King's purse. Napier took the precaution, at the time, to explain privately to the King himself the meaning of it; so that when his powerful enemies attempted to found a charge of peculation upon it, he reminded Charles, that, 'long before any such mater wes known or questioned, I told your majestie the forme and mater of this bargane, when I came from Scotland, when I, and

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XVI. Lord Napier's explanation of the foregoing Back-bond to the King. From his Autograph.

It pleased your Majestie to employ me to furnish your Majestie during the tyme you were to abyde in Scotland, when the Officiars of estate there had refused to doe it, and to send for me to Southwick for that purpose, which having accepted, I came to London, and sent one to those who deale with such commodities, to learne the pryces of every severall sort, *for ready money*, whereof he brought to me a note. Then not daring to use any of them for that which wes for your Majesties owne mouth, I sent for the Sergeant of your Confectionary, to deale with him. He told me the pryces the Green-cloath did allow him;

all others thought I should have been, only, employed; which I humbly desire your Majestie to call to memory.' The King did remember it, so that calumny failed. Lord Napier adds: 'I confess I never bought to to myselfe, nor to any other, houshold provisions, and have no skill in catery or Butchery; and if I have failed that way it is want of skill, not of honesty. As for the wreats, I am content they be produced before your Majestie, and all my proceedings examined by your Majestie, to whose judgement I only adhere.' The indorsation is thus explained by Lord Napier. 'My Lord Thesaurer having got the employment of furnising the King, and I put by it, it wes not reasonable that contracts should be standing betwixt Sergeant Walthew and me: I desyred therefore his Majestie to give ordour to call them in, to be cancelled. The King commanded the Chancelier to see it done. The Sergeant produced the contracts, and the Chancelier would faine have picked something out of them to my disadvantage. Then said I; I acquainted the King (as indeed I did, and his Majestie remembred it) with the maner and matter of this Bargane, to which S^r^ James Baily replyed, that the King knew it not till it wes questioned; and I (not being able to containe my selfe) said, that it wes not lyke his barganes, and his complices, in the Kings service. At which the Chancelier was so furiously mad (for it touched him) that forgetting himselfe, and me too, be commanded me out of his chamber, which I would not doe. The chamber wes none of his, but a borrowed one, and within the King's house, whither I went by the King's command.' (Lord Napier's Autograph Relation.)

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which I comparing with my note found very exorbitant, telling him that I wes to give him ready money, whereas he lay long out of payment be the Green-cloath. For two or three dayes wee could not agree. At last he told me, that, if the Greencloath, and other his Customers in England, did not know, and that he thought to gaine vpon the countrey of Scotland, he would agree to my pryces for your Majestie. Whereupon this expedient wes proponed, (whither be the Sergeant, or be Archibald Campbell, I remember not) that ane Indenture should be drawn up containing these pryces the Green-cloath allowed him, and a backband having relation to the Indenture, and derogating from it, containing the pryces that others would afford for ready money, for so much as should serve your Majesties use. To which I consented, and set doune a brother of myne to wreat the backband, who being somewhat slow in wreating, I tooke the band, and wrote it my self;[1] and whill it wes a-writing, the Sergeant of himselfe, without any others motion, promised, that, if he were well payed, and made a good bargane with the countrey, he would share with any freind or servant of myne the superplus which should be got of the countrey above certaine pryces set downe farre above your Majesties pryces, except in the Amber, which he knew the countrey would not buy. And although I knew the vainnes of that offer, and that none in the countrey would ever come to those pryces, and so my friend should be a sharer of *nothing*, yet did I set downe this offer to that effect. I wes certainly informed, when your Majestie's father went to Scotland, his banqueting stuffe did as ordinarly serve some mens tables, as his owne; and to prevent any such abuse, I thought to put one to looke to that; who because he wes not ordinary, and therefore wes to get no allowance from your Majestie, but only to

[1] This is verified by the original in the Napier charter-chest. On one side of the sheet are three lines of the bond, where it had been commenced by the more methodical brother, who was Alexander Napier of Torrie, third son of the second marriage of the great Napier. The document is still entire, after the lapse of two centuries.

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be entrusted be me, and I did think be vertue of that clause to draw somewhat from the Sergeant to that man I should appoynt, which I might easily doe being his pay-Master. And this is the tenour of the backband.

XVII. Archibald Campbell to Archibald first Lord Napier.

My Lord,—I am laitlie informed that some of your Lordship's on freinds, forgetting the dewtie of honest men, haue most wrongfullie accused your Lordship to his Majestie, alledging, most impudentlie, that your Lordship had passed in my favour a gift of non-entrie, or some such lyk thing, quherby his royall Majestie was prejudged in a matter of fourtie-eight thousand pounds, or thairby. Quherfore, not trusting to my own memorie (altho matters of that kind could not be easilie forgot), I have causit search the Register and can find no such matter quherin my name is used. And quhillas I was making searche, I fund a gift of non-entrie, grantit laitlie to the Lord of Lowdon, of some lands quherto he pretends a title; and supposing that to be the matter they poynt at, I consulted the Lord of Lowdoun his Advocatis, that I micht informe your Lordship the true estaite of that bussines; and they declair that the Lord of Lowdoun brocht them a chairtour he had laitlie found among his predecessors writts granted to one of his predicessors tuo or thrie hundreth yeir agoe, and they advysed him to inter actioun thairupoun befoir the tyme of prescryving of securities suld run out: And first he behoved to pas a gift of non-entrie before he served and retoured his Ladie as narrest air to hir predicessor,[1] quho was last

[1] Margaret Campbell, grand-daughter and heiress of Hugh, Lord Loudon, married John Campbell, son of Sir James Campbell of Lawers, in 1620. Hence he is styled in this letter Lord Loudon. He was created Earl of Loudon in 1633, but the patent was stopped at the Chancery in consequence of his violent opposition to the measures of the King. It was confirmed, however, in 1641, when Charles made over Scotland to

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infeft in thes lands, wherwayis he wold be lyable for the non-entrie, quhich no doubt wald extend to far more than the lands were worth, although he suld obtaine his actioun. Therfore, according to the ordinarie cours in such caices, the Lord of Lowdoun gave in a signatour of non-entrie of thes lands to the Lords of Exchekker, and the Lords finding that the lands were not in the Lord of Lowdoun his possession, bot posest by ane uther qua was his Majesties tennent thairof, they all accorded to pas the said gift to the Lord of Lowdoun for ane easie compositioun, and so, to testifie that it was not a matter privatlie done, the gift is subscryued be the Lord Chancellour, the Thesaurer, the Precedent of the Counsaill, the Lord Privie Seal, your Lordship, and divers uthers of the Exchekker: And, as I am crediblie informed, it was so publick a thing, that the Lords ressoned anent the same, both *pro* and *contra*, before it was granted: And this much farder I have thoucht goode to informe your Lordship of, that it be affirmed to his Majestie that the matter may be of very great consequence to the Lord of Lowdoun, your Lordship on my credit may undertak that the Lord of Lowdoun sall quyt to his Majestie the foirsaid gift of non-entrie, and all uthir richts he hes to thes lands for ane easie compositioun; and if your Lordship can secure a bargane with thes quho so lewdlie misinformes his Majestie anent that particular, ye sall do the Lord of Lowdoun a good office. Bot howsoevir, since they have bene so impudent, I cannot sie how your Lordship can come fairlie of, unless that matter be brocht to a publict tryall; and quhen they sall not be able to prove ther alledgeance, ther is no doubt bot his Majestie may be

the Covenanting party. Loudon then also became Lord Chancellor of Scotland, and was one of the most conspicuous of the party of Argyle, who ruled that unhappy country. It was Loudon who pronounced sentence of death upon Montrose, and he did so *con amore*, from personal motives. 'He accompanied the inhuman sentence,' says Clarendon, 'with all those insolent reproaches upon his person and his actions which the liberty of that place gave him leave to use.'

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graciouslie pleased to put a mark of his Majesties dislyk on such misformers.

My Lord, it may be easilie perceived that ther calumnies ar forged be reasson of that fair and frie offer made be your Lordship[1] for defraying his Majesties expensis at his cuming to this his kingdom, querin I must not want a blow for taking the boldnes to remember his Majestie of your offer when as uthers had refused the same (as I am crediblie informed.) Bot let them doe thair worst. We have to thank God that we leive under a most just and gracious King, quho will not receive misinformationes of the meanest of his subjects on calling them to a reckoniug, and both can and will esteme of the misinformers as they merit. And as to the chairge his Majestie was graciouslie pleased to grant me for outleting those moneyis suld be levied for defraying his Majesties expensis heir, if his sacred Majestie find not the same expedient for his Majesties service, I sall rest hairtlie weill content with his Majesties most gracious pleasour; and, altho I may not compare with great ones in power, yet ther sal be none more affectionatlie bent to doe his Majesties service then I sall be, quherof I have alreadie given als great proife as those quho hes made themselves better acquentit to his Majestie. So wishing your Lordship a happie and a safe returne, I rest,

Your Lordship's evir to serve you,

Ar. Campbell.[2]

Edinburgh, the 18 of November, 1628.

To the Right Honourabill My Lord Neper.

[1] See No. XIII. The King's progress at the time was defeated by this faction.

[2] Archibald Campbell is designed brother to Sir James Campbell of Lawers, in the back-bond, No. XV.; from which it would seem that he was uncle to Loudon.

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XVIII. Archibald first Lord Napier to King Charles I.

Most Sacread Soveran,—It may seame presumption in me, in the termes I now stand, to wreat to your Majestie, but there being now no other way left me to plead for your Majesties favour, I hope your Majesties goodness will excuse this. I wes in hope that efter a surrender made of the lease of Orknay, your Majestie wold vouchafe me the hearing; and therefore I offered to the Secretary a most absolute one, as your Majestie may sie. But least that way should be left opin to me to recover your Majestie's favour, there is a surrender sent from Scotland to be subscryved be me, the most unjust and unreasonable that can be; for, as be sinister meanes, and most servill practises, my unfrends have robbed me of your Majestie's favour, so by the same they endevoir to stop me from the recovery; and it may be that this is not the least, and that which most hath encensed your Majestie that, tho I never intertayned other thoght then to surrender whenever your Majestie sould be pleased, yet I have some reason to suspect that a commission (if so it may be called) to a clean contrary sens, was caryed to your Majestie as from me, who never yet sent any but that offer of surrender by Sir William Balfour. And truly if any behaviour of myne in this or any thing els hath procured your Majesties displesour I kno it not, nather wes ever my mynd consenting to it, and so may be my error, but it is not my deed. And I call God to witness that there never lodged in my breast so much as a thoght toward your Majestie other then becam a dutieful subject, a fathful and most affectionate servand. Yet (for now I crave leave to complayne to your Majestie) my punishment is such as beares proportion with crymes of the hyest nature; for as to be banished from the presens of God is Hell, so from that of your Majestie, his Lieutenant heir, is so grevous to me, and so insupportable, as had opprest my hairt long ere now, if the consideration of your Majesties justice and my own integrity had not sustayned me, togither with a hope I have that

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the strength of your Majesties wisdome will one day disperse those mistes which ar so cuningly raysed betuix your Majesties sight and the truth. For all men kno, except your Majestie, that I suffer for your service (the which in particuler I can relate), and not for any wrong can be alleged done by me to any of those who persecute me; so that in a true construction my sufferings ar your Majestie's also, when be these sam meanes, and the sam men, that I am hurt, your Majestie is also abused. I therfore humbly beseech your Majestie to grant me that which uses not to be denyed to any delinquent whatsoever, which is, a hearing, ather favorable or judiciall, and gratiously to accept an absolute and totall surrender of my lease, and such as, taking away frome me all hope of benefitt, may also take away all hazard of losse; otherways in all probability as fathfull a servant as ever served any King (for in that poynt I dar compare) sal be utterly ruined. Yet in all humility submitting all my desyres to your Majesties gracious plesure, I pray God to grant your Majestie all prosperity, health, and happiness.

Your Majestie's faithfull and
obedient servant,

NAPER.

London, 16 July 1629.
To the King's most
Excellent Majestie.[1]

XIX. LORD NAPIER'S RELATION OF HIS INTERVIEWS WITH KING CHARLES I. FROM HIS AUTOGRAPH.

Understanding that my Lord of Mar wes on his journey, and near, I thought it fit to be in some sort armed against the storme he brought

[1] This letter seems to have procured an audience for Lord Napier, and the result of his personal interview with his Majesty will be found in No. XIX.

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with him, and told his Majestie how unjustly I was dealt withall in Scotland, that I who wes to pay other men there fees and pensions could get none of my owne, which I said wes very strange, if it were not be his Majesties command or allowance; which his Majestie having disclaimed with ane oath,—'Then,' said I, 'Sir, your Majestie hes beene hardly possest of me a long tyme by sinistrous information, and I am not conscious to my self of so much as a thought other then becomes a faithfull servant.' 'No? (said the King) did not you refuse to surrender your lease of Orknay to one who had commission of me to demand it to my vse?' 'Truely, Sir, (said I), never man demanded it of me, nather did I know that such was your pleasure, till I hard in Scotland of your Majesties anger for my refusing.' 'Did not you (said the King) say to him that you would stand out in law against me, which is also vnder your hand?' To which I replyed: 'Doe me the favour, Sir, to let me know to whom your Majestie gave that commissiou, and confront vs before you, and I doubt not to make him confesse that he hes abused your Majestie with ane vntruth; and if any such thing can be showne vnder my hand, I will not only give the hand but the head also to be stricken off.' Then did I presse with importunity to knowe this fyne commissioner, but his Majestie by no meanes would doe it, saying it wes enough, he wes satisfyed, and did not beleive it. Then did I tell his Majestie what storme wes prepared against me at my Lord of Mar's upcoming, that I desyred no more but indifferent hearing, and protection if my cause were honest: which he gratiously promised, and thereupon gave me a kisse of his hand. Some two or three dayes after my Lord of Mar's arryving at Court, they altogether, and singly when they had opportunity, vexed the King with there calumnies, urging him to send me home to be judged, a poynt which they laboured by all meanes, so that the King for his owne quyet wes (I may say) forced to send Sir Archibald Acheson, the other Secretary, to me (for my Lord Stirling excused himselfe vpon the hate I caried to him) to tell me that there were many informations against me, therefore desyred to

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know whither I would stand to my justification, or submit myselfe to him. I answered, that I wes much bound to his Majestie, and would myselfe give his Majestie my answere, and (I doubted not) satisfaction. Which Sir Archibald having reported, I put myselfe in the King's way the next day when he wes going from dinner; he beckened to me, and I followed him into his Bed-chamber: And being alone with him, 'Sir, (said I,) I have receaved your pleasure by Sir Archibald Acheson, and humbly thanks your Majestie for giving me a choice to stand to my justification, or submit myselfe to your Majestie; I will not, Sir, absolutely justify myselfe before God, nor before you; your Majestie might have had a Servant of more eminent abilities, but never a faithfuller, nor more diligent, nor better affected. And as for submitting myselfe to your Majestie, if my lyfe or estate were in quæstion, I could lay them both doune at your feet; but this is my honour, dearer to me than they both, which looses by submitting, and cannot be repared by your Majestie, nor any King in the world.' The words at first seeming sharpe and bruske, he mused a litle, then burst out with these: 'Begod, my Lord, you have reason;' and withall he told me some of there informations. 'Then, Sir, (said I,) there hate against me is for no cause gevin by me, and to most of them I have done reall courtesies, but because I will not comply with them, nor give way to there desyres, to your Majesties prejudice, and your Subjects; and for your Majesties service, and my undertakings in it. But, Sir, I desyre no more but the most rigorous and exactest tryall can be devysed, so it be just, and your Majestie my Judge, and that I be not remitted to Scotland, where my enemies are to be my Judges, and where (if I were as innocent as Jesus Chryst) I should be condemned; for the more exact the tryall be, the more shall my faithfulnes and integrity appeare to your Majestie; and I will not only answere for my owne actions, but if my wyfe, friend, or servant (who by corrupt Officiars usually are set out to be baudes to there bryberie) have done wrong, I am content it be imputed to me. If I had cousened your Majestie and opprest your people, and then made

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some men sharers in the prey, your Majestie had not beene troubled now, nor I thus persecuted, but had beene delivered to your Majestie for a good and faithfull servant.' Then his Majestie promised that he would heare all himselfe, which wes a point I desyred much to gaine, and did serve me afterward to good purpose. 'Then, Sir, (said I) be pleased to mak these informers set downe there informations in wreat, and set to there hands to it, and within three houres after, I shall either give a punctuall and satisfactory answere, or otherwayes your Majestie may dispose of me at your pleasure.' His Majestie wes pleased with the course, and I tooke my leave. Immediatly thereafter, the Earle of Mar, and the whole troup of my adversaries (who were waiting in the Earles chamber till I should come from the King) expected a surrender of place and all to the King, because of the word *satisfaction* that I used to Sir Archibald Acheson. As they came downe stairs slowly because of my Lord's lamenes, one said, 'this is lyke the Lord Napier who is going downe by degrees;' another, as they were going through the Court, told his friend, that asked, that they were all going to give the Lord Napier the last stroake. In this insulting humor they came to the King, who told them that I affirmed all their informations to be calumnies, and that I would stand to my justification, and commanded them to set downe their accusations and informations in wreat vnder there hand, and to deliver the same to me to be answered. This falling out farre besyde their expectation, astonished them a litle, especially the Earle of Mar, whe fell downe vpon his knees with his crutches, and with teares intreated the King to free him of my trouble, and that he could not serve with me, thus stirring pity to cause injustice. To whom the King said, 'My Lord, I would doe you any favour, but I cannot doe injustice for you.' For the space of eight days after, I wes free of their persute, so long as the King remained in Hampton Court; for the command to set downe the wreat vnder their hands did much amaze them; but every day they had their meetings and consultations how to overthrow me; and being ignorant of the King's promise, to

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hear all himselfe, all there endeavours tended to get me remitted to Scotland, and then they were sure of their desyre. His Majestie, having removed to Theoballs, asked the Secretary if the informations in wreat were delivered to me, and commanded it to be done instantly. This put them in some feare that the Lord of Traquare and his friends had procured this, who wes ane expectant for the place, if I should have beene put from it, and a man of another faction than Monteith and the Secretary: and therefore, by the Earle of Carrick, they most earnestly dealt with me a-fresh to treat with Sir James Baily, adding great promises, but with the lyke successe as before.

The Secretary then sent me the informations enclosed within a letter of his owne to me, showing that it wes his Majestie's pleasure that I should send the answeres to him to be delivered to the King: but I would not doe so. When I opened the Articles of accusation, I found no hand at them, but wreaten in a litle peece of paper, so near the end thereof, as not one letter could be wreaten more; of purpose, that if the King should urge them to set to there hands upon a suddaine, they might gaine some tyme in wreating them over to consult upon the mater. I presently drew up the answeres, and on the morrow I told his Majestie that I had receaved these Articles, and that there wes no hand at them. 'That is all one, (said the King, as they had informed him) you know the mater now and may answere it.' 'Sir (said I) there is no Judicature, civill nor criminall, can oe established without these necessary members, a Judge, a Persewer, and a Defender: True it is, in Scotland, in the factious tymes, men were called in without knowing either cryme or persewer, which they called *super inquirendis*, but that barbarous and injust custome wes abolished by your Majesties father by ane expresse act of Parliament yet standing in force; I hope your Majestie will not introduce it againe, and make me the precedent of it.' 'If it be so, (said the King,) they *must* set to their hands, and *shall* set to there hands.' 'Upon my alleidgance, Sir, (said I,) it is so; but I believe they will never doe it, not for feare of me, but knowing in

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there consciences that they are mere forged calumnies, they know they shall succumbe in the probation, and then they feare your just displeasure. Besyde, Sir, they thinke your Majestie will not deny me place to recriminat them, after I am cleared myselfe, and then they know they cannot come faire off. But, Sir, doe me the favour to presse them to subscribe the articles, and if they refuse, yet, for your Majesties satisfacfaction, I shall answere punctually, and delivere the answeres in your owne hand.' The King wes well pleased, and indeed pressed them to subscribe. But they having met, and each of them putting the accusation upon another, and Sir James Baily objecting their promise to accuse me to some of greatest place for onerous causes, no man of all that great number, great nor small, wes found that durst set to there hand. Such force hath truth. Which I perceiving did give my answeres to his Majestie.

XX. Lord Napier's account of the character and conduct of the Earl of Monteith, President of the Council. From his Autograph. 1630.

My enemies now finding that his Majestie, in his just inclination, wes not to be moved to cast me out of favour vpon there naked informations, and I could neither by threats nor promises be wonne to transact,[1] and that they could find no mater against me, although they sifted all my actions small and great to that end, they resolved vpon a course, vpon which Monteith wes also my new pretended friend, which afterward proved very hurtfull to the King, and procured to me my wished ends, against there will. At Court Mortoun, Roxburgh, and the Secretary, made vp a faction and agreement, wherein the Earl of Monteith and the Chancelier were comprysed, whereby they who had wont to crosse others should now serve others turnes, and monopolize to them selves the

[1] *i.e.* To take a consideration for his office of Treasurer-depute, bestowed upon him for life, in consequence of long and faithful services, rendered to King James VI.

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King's favour to his and his Subjects heavy detriment, no body being then to oppose there proceedings but my selfe; for Nithisdale wes discarded after the death of my Lord of Buckinghame, whose near Cousen he had married, be meanes of his Religion, (averse from that profest by the State) and the greatnes of his debt. Therefore they thought it now more necessary that I should be removed then before, whom they thought to be of such invincible integrity as they were never able to make me comply with them in there intended courses. This plot being rype, Monteith wes sent for be the Secretary, but he had before so much imployed his friends in cautionry as now they began to faile him; neither wes his owne name of any credite with moneyed men. Having no other means he intreated me to take vp 6000 marks for him; which I did in my owne name and tooke his band of repayment. He went to his journey and promised, that if he tooke any course with them, I should be comprysed within the agreement (adding many oathes, whereof he wes never sparing), whereof I wes most vnwilling, as being contrare to my ends, who lay in wait for a fair occasion to leave the place, yet seemed to be well content, to make proofe of him. When he came to Court, the first article of agreement wes proponed, that be all meanes I should be removed [from the Office of Treasurer Depute] which he vndertooke I should leave to Traquare vpon most easy termes (for Bailyes nose wes out of joynt, my Lord of Mar being no more Thesaurer), which they thought faisable in respect of the new friendship betwixt vs: To effectuate which, and thereby to endear himself to the new faction, he told the King that I wes desyrous to give over the Office; and (I beleive) to the King also (for to all the Court he did) that he had commission and power from me to that effect, which wes most false. To the which the King gave way, as being my owne desyre, and then wes moved to make a promise of it to Traquare by this new faction, of which he wes one. And Monteith coming to Scotland a letter wes purchased from the King after the vsuall obscure style, whereby he would have made me believe, that it wes the King's pleasure that I should give way

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to Traquare, and to that purpose that I should transact with Monteith, although the letter in my vnderstanding contained no such mater, but wes his Majesties answere to a sute of myne, wherein his Majestie wrote that he had imparted his pleasure concerning my desyre to the Earle of Monteith. This letter wes kept vp long, of purpose, till the new Theasurer Mortoun should come home, who wes vpon his journey; but Monteith would have had me take his word vpon it. But I, desyring nothing more, (although I pretended the contrare) then that the King would have exprest his desyre to be that I should leave the place (for then with honour, profit, and the Kings good opinion, I might treat with them,) made Monteith this answere, that the letter contained no such thing as he gave out, and that I would not treat with him, nor no man else, till from his Majestie's owne mouth his pleasure were delivered to me to that effect. At this answere he wes extremely moved, and being immoderately earnest with me afterwards, and, not-theles, not being able to effectuate any thing whereof he had made so large promises to them at Court, gave them advertisement, and they delt earnestly with the King. For this combination had now vndertaken the whole goverment heire vnder the King, and great hopes gevin, and great promises made of excellent service; only they told the King, that his service would be still hindred be my opposition, and at last wonne him to thinke it expedient that I should remove.

About this tyme the Thesaurer Mortoun came from Court, and finding that I wes not to be dealt with, the Chancelier, Monteith, and he, to make me loath the service, (which in my secretest thoughts I did long agoe,) vndertooke a bussines no way honorable for them, and heirafter might prove dangerous, if any of them should happen to fall from the King's favour. There wes, after the death of King James, a Commission of Exchequer sent downe by his Majestie, now raigning, vnder his hand, (for be the death of his father all former Commissions expyred) and left vndated, to these who were of the former; the manner of which commission is this. The King signeth a Commission in paper, which thereafter is ingrossed

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in parchment, translated in latine, and the King's great seale appended to it, and the paper vnder the King's hand is kept for a warrand to the great Seal. This Commission in paper vnder the King's hand being sent downe, and being defective, or at the least the King's advocate would have it to seeme so, because it wes not drawne vp be him, wes not past the seales, but kept by him, the Chancelier, or Secretary, and another sent vp of the Advocat's penning, which being sent downe againe signed be the King, wes past the seales, which wes the warrand of all the Exchequer's proceedings six yeares after. This old vnpast signature of Commission they tooke, and where these words 'Thesaurer' or 'Thesaurer deput' occurred, (as they did very often through the body of the signature) they made Mr William Chamber, in a Chamber of Holyrudhous, put a mark betwixt Thesaurer and Thesaurer Deput before *or*, and in the margine write these words, 'in his absence,' so that it wes to be read, 'Thesaurer, or in his absence Thesaurer Deput,' and the word in the margine about fyve or six severall tymes subscrybed be Mortoun and Monteith. Besyde they insert the date, 'Whyte-Hall, 28 of June, 1630,' with new black inke, where all the rest wes worne whytish, and it wes torne in the foldings, which oculare inspection bewrayed the antiquity and falshood of the same. So by this Commission I wes to doe nothing (direct contrare to my patent, and the purpose of the institution of that office) the Thesaurer being present. About twelfe-a-clock I got intelligence that there wes a new Commission brought downe be Thesaurer Mortoune, and wes at the seales. I presently went to the Director of the Chancery his chamber, who shew it to me, and said he merveiled much how the Chancelier durst append the great seale vpon such a warrand. I viewed it as well as I could in so short space. At two of the clock thereafter the Exchequer conveened, where before the Chancelier lay this signature of commission, and the double in parchment in latine, with the great seale thereat, together with two letters of the King's. We being all set, the Chancelier gave the signature in paper to the Clerk to be read, and the double in latine with the seale in parchment to the King's Advocat to be

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collationed. The Clerk had much adoe to read it, it wes so worne, being now made vse of six years after it wes signed be the King. But I seeing two of the King's letters vnbroken vp took no exceptions at the signature, suspecting that they did contain something to supply the defects and informality of the signature, till the letters were read which contained nothing of that purpose. Then I rose vp, and said: 'My Lords, this is a strange signature, and such as I never saw,' and wes going on, my Lord Morton interupted me, and rose from his place in a great anger, saying: 'The first day that I have honour to sit heir, and carry this whyte staffe, I must heare my honour called in question impertinently.' 'My Lord, (said I,) I doe not call your honour in question pertinently nor impertinently, neither is it my custome towards any, although some men have done so to me.' And then the Chancelier: 'Be God, but you have:' For when I spoke before the Lords in Sergeant Walthaws bussines, my words were, that that bussines wes reported to the King by men ill affected to me, except one honest man, S^r^ James Fullarton: The Chancelier would conclude, against himselfe and the Secretary, that I said they wer not honest by consequence, which gave him occasion to answer me so bruskly at this tyme. 'But (said I,) my Lord, give me leave to answere my Lord Mortoun first, and then you, when you please.' And turning my selfe toward Mortoun I said: 'My Lord, your Lordship is very hote with me, but be assured there is nothing done amisse, which concernes either the King's service, or me in my particulare, that I will stand in aw of any man to question.' Then said he, 'This wes done be the King's direction, and we will answere it.' Then said Monteith, 'My Lord Napier, you are so passionate in your owne particulare, as you will not forbeare to question what the King commanded, for his Majestie stood by till it wes done, and we will answere it.' Then said I, 'If it had beene the King's direction, why would you not bestow vpon him a clean sheet of paper, and ingrost these marginall notes of yours in the body of the signature, rather then made vse of this old torn thing, then neided not the signature with the King's hand

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at it, receave validity from yours vpon the margine?' But he that never wes ashamed to doe or say any thing, still affirmed that his Majestie stood by till he saw them subscribe, and that it wes his direction. 'My Lord, (said I,) I marvell that you are not ashamed to say so; let the Lords look the date with a blacker ink then the rest, "at Whyt-hall the 28 of June, 1630:" Then you were there, you say, with the King? Your Lordship hes ridden fast, for you were heire and presided in counsell the 29 of June 1630, to verify which I desyre, that the clark of Counsells book of Sederunt may be produced; and my Lord Mortoun, your Lordship set out of London before him.' Monteith being convinced of a manifest vntruth in presence of all the Lords, wes so confounded and surprysed with it, as he made me this answere nothing to the purpose: 'My Lord, I brought not the signature home.' All this while the Lords were silent, hung downe there heads, and were ashamed on there behalfe; and even the Chancelier himselfe sat mute. When the signatures came to be compounded, my Lord Mortoun vsed me kyndly and familiarly, asked my opinion concerning the composition and nature of the signatures, so that it wes be all clearly perceaved that he repented himselfe, and wes ashamed of the business; wherevnto, be all appearance, he wes induced be the other two, for in his owne nature he is noble and generous. I asked the Lords if I should subscribe the signatures (of purpose to set before there eyes the inconvenience of this stained commission) 'for the Lord Theasurer is present, and be this fyne commission I am only to serve in his absence.' Then, said the Chancelier; 'You ought to subscribe with the rest.' At this tyme there wes a warrant presented of 5000 pounds Sterling to my Lord Mortoun: Then said I, 'My Lords, what shall be done with this? My Lord Mortoun cannot set to his hand to his owne bussines, and I cannot, because he is present; and without one of our hand it is not receavable in chequer:' To which I had no answere. 'But (said I) if my hand can serve the Earle of Mortoun, he shall have it with all my heart, for no man will grudge at any thing the King bestowes on him.' Perceiving then that this devyce wes not like

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to take effect, they began themselves to find fault with the commission, as defective. These passages being related to the King (for Kings have long ears) he dislyked these proceedings, as I am informed, extremely; yet such wes the hopes of the great service this combination wes to doe, (which to this houre did nothing but to his heavy prejudice, and there owne profit) that he wes content to take no notice of it. I resolved then to goe to Court; and, some dayes before I went, Monteith sent vp his man Mr Henry Drummond with a letter, drawne vp be himselfe and the Secretary, and sent vp to the Secretaryes sonne, who waited there in absence of his father who wes in Scotland, the contents whereof wes to stay me be the way, or to command me to returne againe into Scotland. This letter wes to be signed by the King, and Mr Henry wes to meit me vpon the way, and to deliver it to me. I rode on my own horses to Berwick, and purposed to send them back, and take post there, where the post-Master told me, having asked who rode last, that Mr Hary wes gone vp post, and told him that he wes to ryde night and day, and wes very shortly to come back. Vpon which I conjectured, that he wes sent vp to procure my stay or returne (as indeed he wes) vpon some misinformation: and therefore, to prevent there purpose, I changed myne, and vpon my owne horses rode in the westerne way, where no post lyeth. The Secretaryes Sonne having presented this letter, for my stay, for the King's hand, his Majestie threw it away, saying, '*This man hath suffered enough already;*' and in place thereof made him wreat another to me, most gratious and favourable, which he signed. This letter wes gevin to Mr Hary Drummond to be gevin to me; but he gave it to his Master, who then wes on his journey, with the copy thereof sent downe be the Secretaryes Sonne, which by no means I could ever come to the sight of, although I got knowledge of the tenour afterwards. How soone I came to Court I had speech with his Majestie concerning these bussines, who said, that he could not but acknowledge my good service, my honesty, and integrity, but that he wes informed that the principall Officiars and I could not agree, whereby his service wes hindered. Then

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desyred I his Majestie to try whose fault it wes, theres who went about maters prejudiciall to him and the countrey, or myne who opposed them out of duety to God, and to him. But not daring to insist further in this poynt, fearing least the King should have resolved to continue me in that service, which wes contrare to my desyre, tooke the opportunity: 'Then, Sir,' (said I) 'since they have made your Majestie thinke that I hinder your service, I will not be refractory to your Majestie's desyres; but your Majestie is a just King, and cannot take that place from me but by consent, or for a cryme; and as to a cryme, if your Majestie be not satisfyed with what is past, I will refuse no further tryall how exact soever, being just, and your Majestie Judge. Then the King, having vsed many favourable words, acknowledging my faithful service, willed me to speak with Monteith, who (he said) wes my kinsman. 'Truely, Sir,' (said I) 'he is my kinsman, but wes never my friend, and certainly he and I shall never agree.' 'Then,' replyed the King smyling, 'he will take it for a disgrace if he be not the doer of it:' 'Then,' (said I) 'I shall talke with him.' Then did I take James Livingstone, and Master Sandelands with me; for I would speak nothing to him without witnefs. I told him that the King willed me to speak with him concerning my place, that I had served the King and his father long and faithfully, that the office wes gevin me as a reward of my service, but, before I would enter in any terms of composition, there were somethings which concerned me in honour, which were to be granted too, which I preferre before my profit: As, first, that these disavowed Articles of accusation, registrate be the Chancelier without warrand, should be cancelled, or my answeres thereto registrate besyde them. Secondly, that I should have ane approbation of my service, and ane exoneration of all my intromissions vnder the great Seal of Scotland. Thirdly, that Archibald Campbell my Friend, and M^{r} Robert Napier my brother, who suffred with me, should be paid of there arearages. Monteith thought these things were reasonable, but excepted against Archibald Campbell, who (he said) wes neither his, nor my friend. I replyed, that I had

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good proofe of his friendship to me vpon all occassions, and that I perfectly knew that he wes, and did oft expresse him selfe a reall friend to him, to whom he wes also neare cousigne. He promised me, with many asseverations and oathes, his assistance, and that he would indevour to procure the composition to be in a large measure. But I could never trust him, who had neither truth in his words, nor constancy in his actions.

[1] The result was, that Traquair was at first joined with Napier as joint Treasurer-depute, 'without fee or pension, of which he was glad, or seemed so, and took a kiss of the King's hand upon it. Menteith and the secretary (Stirling) did exceedingly please themselves with this device, and did every where proclaim it, arrogating so much to their own judgment and dexterity as was hateful to every wise man. And indeed they were in nature not unlike in this, that no living man was ever more vain-glorious than they both, but different in the expressing of that humour. For the secretary was a gross and downright flatterer of himself, and drew all discourses from their proper subject *to his own praise*. Menteith did the same, but, *as he thought*, more subtily, but indeed so ridiculously as gave matter of mirth to all those to whom it was related.'—(Lord Napier's MS.)

These graphic portraits are in the style of Clarendon; indeed, had Napier survived the Troubles, and completed his history, he would have been the Scotish Clarendon. His kinsman Menteith, whom he brought to such shame, was a very conspicuous person. Before 1628 he was invested with the offices of Justice-General of Scotland, President of the privy-council, and an extraordinary Lord of Session. This was William Graham seventh Earl of Menteith, and lineally descended from Robert II., to whose eldest son by Euphemia Ross, David Earl of Strathern, Menteith was served heir, which service was ratified by the royal patent, 31st July 1631, authorizing him to assume the title of Earl of Strathern and Menteith. At this time it was supposed that Euphemia Ross was the *first* wife of Robert II. (and not Elizabeth More, subsequently ascertained to have been so,) and the pretension to the crown of Scotland, involved in this service, was suggested to Charles, especially by Drummond of Hawthornden, as *dangerous* to his crown. Scotstarvet says, that when Menteith renounced his claim to the crown, he did so under reservation of his right of blood, and boasted that he had *the reddest blood in Scotland*. Accordingly his titles were all set aside in 1633, and he deprived of his offices and confined for a time to his own isle of Menteith. But when divested of his other titles, the Earldom of Airth was conferred upon him. It was his eldest son, Lord Kilpont, who was so basely murdered

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XXI. Official Extract of the Royal Letter Ordaining the Accusations against Lord Napier to be referred to his Majestie. 1629—1630.

At Holyrudhous the 20th day of Marche the year of God 1630, the quhilk day, in presence of the Lords of Exchequer, sittand in full number, compeirit personallie Archibald Lord Naper, and producit his Majestie's letter underwritten, direct to the Lord Viscount Dupline, Chancellor, and the Earles, Lords, and utheris Commissioners of Exchequer, and desireit the samyn to be registrat in the buiks of our Soverane Lord's Exchequer, quhairof the tenour followes :—

Charles R. Right trustie and right weilbeloveit Cousins and Counsalours, Right trustie and weilbeloveit Counsalours, Trustie and weilbeloveit, We greet you weill : Whairas some informations have been given Us, concerning the Lord Naper, Our Deputy Treasurer, Our pleasour is, that if any accuser sall appear against him in the articles given in to Us, that you hear and try the accusationes, and thaireftir send up the tryal, togither with himself and his accusers, to the effect he may answer unto Us, and receave Our determination from our owin mouth; and in meane tyme that he have the full exercise of his place, according to his patent, and be payit of all money is due unto him, befoir any officiar of Exchequer inferior to him be payit of any in tyme to come; and that you cause intimat Our pleasour heiranent to the Receavers, Clerks, Collectours, and Takismen; and registrat these presents in the buiks of Exchequer; for doing whereof these sal be unto you a sufficient warrand. Given at Our Court at Whytehall the 29th of November, 1629 yeares. Quhilk letter above written being produceit, and read, the Lords of Ex-

in Montrose's camp, immediately after the battle of Tippermuir, by Stewart of Ardvoirlich. We shall find from a letter of Menteith's to Charles I. in 1639, that he had been again taken into royal favour; and that he was the first to apprise the King of the loyalty of Montrose, while yet with the Covenanting party.

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chequer ordayneit the samyn to be registrat as said is. Extractum de Libris Actorum Saccarii per me Dominum Johannem Hamiltoun de Magdalenis Militem Clericus Rotolorum Reg. ac Consilii S. N. D. Regis, sub meis signo et subscriptione manualibus.

J. Hamilton. *Clk. Reg.*[1]

[1] It is worthy of notice that Lord Napier sought and found his best protection, against this storm of most unprincipled faction, in personal interviews with the King, and in a reference, of this attempt to destroy him, to his Majesty's personal investigation of its dishonesty. No one was better acquainted with the real dispositions and upright intentions of the unfortunate monarch than this nobleman, who had known him from his boyhood. At this period, which was the dawn of those troubles in which the now youthful Montrose was fated to be so conspicuous, Charles I. was greatly abused by the most distinguished councillors of that nation from whence the ominous cloud arose. Lord Napier indulges in no hyperbolical statement, but records his literal meaning and knowledge, which he verifies by examples, when he says, that 'for bryberie at both hands, (that is, all parties,) concussion of the people, and abusing the King, no age can parallel' that which his Autograph Relation illustrates. 'And thereby,' he adds, 'the judicious may perceave the former setled maner of government shaken by frequent innovations intertained and practised; factions in Court and State afoot; accusations, calumnies, and aspersions ordinary; and, which wes worse, finding their own prejudice (interest) that way, — *combinations;* and hopes given thereby of great service to the King, without any performance, but, be the contrare, his Majestie's just and gratious inclination abused by misinformations, his eares blocked up and so straitly beleagered as *truth* could not approach them; and all for their own profit, and prejudice of the King and State; the presence of honest men, who would not comply with them in their oblique courses, so hateful as they could not endure it; and so bold, in consideration of the strength of there leagues, as they did not stick to *falsify the King's hand,* surreptitiously to *steal his Majestie's superscriptions,* and to frame letters contrary to his meaning, and many other things of this kind.'

It must be kept in mind that this was privately recorded before the great storm had arisen, or those events had occurred from which the genius of Clarendon derived its immortality. This unprincipled conduct of some of the highest rank and position in Scotland, ceased not, but increased and became interwoven with public transactions, and produced and reared that monstrous birth, the Covenant of Scotland, of whose real merits, as we shall find in the sequel, this same nobleman

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XXII. Archibald first Lord Napier to William Seventh Earl of Morton. 1630.

Right Honorabill—My occassions will not permitt me to attend your Lordship this day, And therefoir I intreat you by these to remember to get those Letters Signed by his Majestie, And if your Lordship have any dout of my performance, I am content to subscryve presently a demission, to be deposited in the hands of an indifferent man, till I be secured, and my discharge be past the Seales. I am the more earnest becaus I am to send a man to Scotland about some bissines, which concernes me much, whom I have stayed this eight dayes upon these Letters to be signed by his Majestie; and till I send word, and gif power to some of my frends to receave security for me, and sie conditions performed, there is no body will medle in it. I am confident of fair dealing from your Lordship, and for me I will still remayne an honest man and your Lordship's faithfull and affectionate Servant,

Naper.

[no date]
To the Right Honorabill the Earle of Mortoun,
Lord High Thesaurar of Scotland, &c., These.

XXIII. Archibald first Lord Napier to William Seventh Earl of Morton, 17th November 1630.

Right Honorabill—By the King his warrand concerning me, your Lordship may find his pleasour, and that his Majestie is still

had to retract his first opinion, in conjunction with his illustrious pupil, Montrose. Such were the difficulties with which the character of Charles I. had to contend; and viewed through so false a medium it has been mistaken and distorted.

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himself, gratious and just, qualities, as they are in themselves excellent, so, I am confident will never be eclipsed by your Lordship's proceedings. If your Lordship's furtherance were a mater of favour, I might be bashfull to be a suter, having never deserved; but it being a mater of justice and right, and withall your Lordship sufficiently warranted, it wer an injurie to refuse it. I will therfoir intreat your Lordship to gif order to pay such moneys as ar due to me, to my brother Mr Robert Naper, to whom I have given power to gif discharges; which I hope your Lordship will do, altho I know ther be some men interested in your affection who have done me wrong, and therfoir cannot forgive me, who will labor to disuade your Lordship. But I trust as much in your generous disposition and wisdome as I am persuaded your Lordsip may well gif them your affection, but yet will keep your reason to yourself to do that which is just and right. By which your Lordship shall not only do an act worthy of yourself, but also oblish me, as much as if it were a mater of meer favour, to remayne

Your Lordship's humble Servant,

NAPER.

King Street, 17 Nov. 1630.

To the Right Honorabill, My very good Lord the Earle of Mortoun, Lord High Thesaurar of Scotland, &c., These.

XXIV. ARCHIBALD FIRST LORD NAPIER TO WILLIAM SEVENTH EARL OF MORTON, 11th December 1630.

MY NOBLE LORD—I pray yow pardon me that I am not to wayt upon your Lordship since yee came hither, as is my dutie. The true caus is, and do me the fawour to give it non uther, I have bene a litle sick these eight days, and am advysed for my health to keep my chalmer a day or two longer, which being past I will then attend your Lordship, not out of fear, or flattery, nor policy of court, but out of that true respect your

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vertue and noblenes of mynd doth justly merit at all men's hands that have any portion themselves. And if these be the proof of bad advyse, and bye respects, which have transported some of great place and quality from courses of honor and honesty too, in my particulers, I shall then ever remayne

Your Lordship's humble Servant,
NAPER. [1]

King Street, 11 December 1630.
To the Right Honorabill the Earle of Mortoun,
Lord High Thesaurar of Scotland, &c., These.

[1] These letters to the Earl of Morton, whom Napier appears to have esteemed very highly, are from the originals preserved in the Morton archives. This Earl had succeeded Marr as High Treasurer in the month of April 1630. Lord Napier's view of his good dispositions is justified by his whole conduct. When the civil war broke out he retired to Orkney, and died on the 7th of August 1648, in the 66th year of his age, his end being hastened, it is said, by distress of mind at the fate of Charles I. His youngest daughter, Lady Isobel Douglas, after having been married to the first Earl of Roxburgh, became the wife of Montrose's son, the second Marquis. It is curious and interesting to observe how the family history of most of the *dramatis personæ*, in this opening scene of the Troubles, connects with the tragedy of Montrose. The Treasurer Marr's eldest grand-daughter, Lady Elizabeth Erskine, became the niece of Montrose by marriage with the second Lord Napier, and was the devoted enthusiast who incurred the no small risk of secretly obtaining and embalming his heart. The Earl of Monteith was the father of that Lord Kilpont whom Stewart of Ardvoirloch so basely assassinated in the camp of Montrose. Traquair and his son sold Montrose at Philiphaugh. The gouty and testy old Chancellor Kinnoul, of whom Lord Napier records this characteristic, that at the council board 'his manner wes to interrupt all men when he wes disposed to speake, and the King too,' was the predecessor of that Kinnoul who perished of fatigue and hunger in the wilds of Assynt, when Montrose's solitary companion in that hopeless flight.

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APPENDIX TO PART I.

PAPERS RELATING TO THE RISE OF THE TROUBLES, FROM THE AUTOGRAPH OF ARCHIBALD FIRST LORD NAPIER.

I.

A Discours upon the bissines of the Tythes now in hand.

I will not, worthy frend,[1] enter into any curious inquisition whether or no the bisines of the tythes now in agitation, of there own nature easie, be randered difficult by the practise of men interessed, whose maner is to prayse the designes of princes, and crosse them in the meanes, by opposing those that are fitt and advysing the unfit; or be the subtilty of these who ar entrusted and employed, to endear therby there services, and to draw from his Majestie present and certane benefitts, giving in exchange future and uncertain hopes; or if it be there ignorance of affairs who never fix there thoughts upon meanes ready and at hand, (as unfitt to compass great maters, and bearing no proportion with them,) but hunt efter the odd and extraordinary, not knowing that as in nature and art, so in the affaires of men, (which are not merelie natural, but partly so and partly volun-

1 The manuscript is not otherwise addressed. It is autograph of Lord Napier, and probably was not a letter to any one in particular, but simply a mode of recording the writer's opinion and views on a subject of great importance to Scotland. We shall find that Montrose, a few years afterwards, adopted the same epistolary form for conveying his sentiments on the subject of Government.

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tare, and therefore much beholden to art and dexteritie in the managing,) the greatest maters are performed ofttymes by the easiest and most obvious meanes. Whether any of these, or all, or none, be the cause, but somewhat else, I know not, and therfore will not wrong any man by my conjectures, but leave the search of remote and hid causes to deeper judgments. Nather will I meddle with the Commission[1] or the tenor therof. But that I may in some measure satisfye your desire, I will only sett down the known effects, and then deliver my opinion of the nearest cause of these effects.

The effects are these: A tedious longsomeness, insuperable difficulties, and a generall complaint of all parties; evident arguments of a bissines miscaryed or ill managed, and gifs just cause of fear that the event shall not answer his Majesties expectation in honour nor profitt. That it is longsome, and lyk to be so still, and that it is intricat and dificile, these three years' endevoirs, with so small advancement, gifs evident demonstration, where difficulties, like the heads of Hydra, no sooner one cut off but another arises. That the complaynt and discontent is general the induction of particulars will best shew.

The CLERGY complayne that they are not only defrauded, by this cours, of the Tythes, the true patrimony of the Church, but of all hope of recovering the same in any time coming; that the constitutions of men are prefered to the law of God, not only by derogating from it, but by utter abolishing the same; that sacriledge is allowed by public autority, and broght into the King's hous.

The TITULERS[2] complayne that there infeftments, and ratifications of the same in Parliament, the fundamentall law wherby the subjects posses any thing in property, are, in there particular, by this cours subverted; that they are not only pressed to sell there vineyard, but forced to do it, and the liberty of the pryce not permitted to the agreement of parties, but first there part diminished by a *quota*, and then the remaynder undervalued by a pryce imposed, nottheles that some have, and all pretend to have, acquyred the same for causes onerous.

The POSSESSORS alledge that the lands are valued above the worth, and not according to the true and naturell fertility; and that there is no defalcation, or deduction, in regard to there industry, or of accidentall or removeable causes of there increase; that most of them not being able to buy there tythe, and the able

[1] 'Commission granted by King Charles to the clergy, nobility, gentry, and burghs of Scotland to treat anent his revocation. Given at the Court of Whitehall, 7th January 1627.'

[2] *Anglice*, Impropriators, the nobles and barons, namely, who, after the Reformation, obtained to themselves gifts from the Crown of these tithes, burdened with the support of the clergy.

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not willing, for want of security and for other respects, must of necessity pay the quota to the teind-master in victuall, which becomes an inherent dutie of the land, and affects it, and not being paid at the precyse and ordinary termes, as few are able to do, the prices and fiars shall be, as hitherto they have been, made exhorbitant by the commissioners, whom they alledge for the most pairt to be pensioners to the titulers for the purpose; so shall it be still in the tituler's power to oppress them, contrair to the King's gratious intention,—

WHO, in my opinion, hes more just caus of offence, than any other of complaynt, to find his gratious and just endeavours, of *vindicating the greatest part of his people from the oppression of another part*,[1] to be thus frustrat and disapoynted, and that which his Majestie intended for the generall good, to give generall discontentment, through the ill carriage of the bissines, wherby his Majestie is defrauded of the honour due to his virtuous and good designes, than which *never prince intended more just, more gratious, nor more truly honourable;* and in the end it is most likely that his profit shall be much diminished, unles some better cours be taken. For eftir the valuations be made, which some of good judgment do think will come short of that which wes made when the thrids of benefices were assumed, and eftir that the ministers have procured augmentations of stipend, which indeed is expedient, and of number, which is more necessare for the service of God, and eftir that mayntenance for hospitalis and scooles, and other means, in *pios usus*, be deducted af the tythes, and eftir that the titulers, ather out of favour, or out of consideration of there losse, and the just and meritorious causes of there acquisition of the said tythes, get satisfaction, which undoubtedly all will pretend, all demand, and most of them likely enough receave from so bountifull a disposition,—the remaynder is not likely to prove so great as is giffen out.

As to that other way invented to rayse profitt to his Majestie, (which by relaiton I hear only, being made of late a stranger to all these bissinesses,) by appoynting to the King a certain part of that money which salbe giffen for every chalder that beis boght, I think it not honorable, for even among subjects it is counted base and called *brocage*, nor proffitable, but caryes only a shadow of profitt, which upon proofe will evanish; becaus it is lyke there will be little or no buying of tithes, for many are unable, and more are unwilling, for these reasons: 1. Becaus no security

[1] It is curious to compare this contemporary testimony, of a very honest and acute statesman, to the purity of the King's intentions in this great and influential measure, with the severe *dicta* of some modern authors, who will scarcely allow a patriotic object in any act of the unfortunate Monarch's.

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can be giffen them, as they think; for the tituler, as tituler, can gif no better than he hath himself, which is esteamed but a patched up one, now in question; and for the clergy, it is no reason to urge them to gif it, who have no benefitt, but alledge detriment; nather do they think his Majestie can give such a right as by his successor may not be quarrelled, by alledging the detriment of the Crown, which hes only got a mean annuity of that which totally belongs to it, and so may fall under revocation. 2. Whatever augmentation of stipend, or new provisions for ministers salbe heirefter, it must come from those who have the inheritance of the tythes; which hazards, those who pay there money will think so hard to be subject to, as they will rather forbear buying at all. So ther being no buying, this ground failing, the project builded thereon falls. But granting that all or the most pairt wald buy, the very same benefitt the King may reape in a fair and ordinary way, by adding it to the ordinary composition, when they come to seek there confirmations eftir they have boght.

The nearest cause, of all these bad effects before exprest, I take to be the preposterous and unfitt meanes used for attayning the King's purpose, and specially the endeavoir to establish a generall quota upon which necessarily dependeth the valuation of all the lands in Scotland. Indeid if the Commission had been giffen to this end, to establish a certaine tythe in some new found land, where never any wes before, this had been the only way. But in Scotland,—where there has ever been a known, or easily to be known, tythe of every parcell of ground, since first it receaved the Christian Religion, according to which tacks have been sett, fines raised, and bargains of sale made,—to induce a new quota, and fitt it to all parts of the kingdome alike, wes, in my opinion, the way to disturb and confound the whole bissines, and no more a means to facilitate the sale, admitting that sale had been the true means, than if a merchant, to the effect his cloth might sell the better, wald sell none with the old receaved yard, but stay till a new one wer made by Act of Parliament.

But, it may be said, *aut ne carpas aliena, vel ede tua.* The first wherof I wald not do, if I did not think there were a way (if I be not mistaken) to perform the King's gratious intention, in short tyme, with ease, conveniency, contentment and profitt to all, or the most part, without any considerable innovation (which, though to the better, is ever of dangerous consequens in a setled state,) and, what is no little ease to his Majestie, by which no man, of what quality soever, can have any the least pretext to demand satisfaction, or to diminish his Majesties profit. But nather is this tyme fitt for any such proposition,—when his Majestie is made

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so hopeful of the cours in hand, and so well conceated of the abilities and the affection of the instruments employed and entrusted,—nather am I a fitt man to do it in the termes I now stand. For no matter, how good soever,[1] delivered by a man against whom there is prejudice conceaved, can reelish well. But if heireftir (as is very lyke) this cours fail which now is run, and that these mistes, which calumnie and malice have raised to darken his Majesties countenance toward me, be dispersed by the rays of his own cleir judgment, I sall not then be wanting in my affection and dutie. At which tyme, if the proposition lyk his Majestie, to make it effectuall he must own it himself, and, to try it, must ask the opinion of the wisest and best affected concerning the same. For if it sauld be known or suspected to proceed from any other, it is the humour of some of greatest trust and credit about princes, to disable the man, and to slight and cry down any motion, though never so good, which doeth not proceed immediately or mediately from themselves; and upon every occasion that occurreth, will rather give bad information, and worse advice, than give way to others, or seem incapable of any thing themselves. Much lyk that gentleman who rode out, in the company of others, to bring in the Pope to a city in Italy. The Pope asking many questions, and enquiring the names of cities, rivers, and palaces, that came within his view as he went along, this gentleman made answers to all, and gave names to every thing, but never a true one, being himself ignorant of the same, and so continued in discourse with the Pope till he came to his ludging; and when a friend of his rebuked him for abusing his Holines with untruthes, 'If (sayd he) I had seamed ignorant of what wes asked, the Pope wald have called another, so suld I forego the honour I had, to be seen ryding so near the Pope and in speech with him; and he rests as well satisfyed as if the truth had been exactly told him.'

And truly, if ever any King, our Soveran, may justly make Dioclesian's complaynt, in so far as concerneth Scottish bissines,—*Colligunt se quatuor aut quinque circa Imperatorem, atque sibi utilia sub pretextu boni publici et principis, proponunt,—bonos, et virtute præditos, ab Imperatore amovent,—malos, factiosos et sibi idoneos adsciscunt,—veritatem ad aures principis appellere non sinunt,*—SIT BONUS, SAPIENS, CAUTUS, DECIPITUR IMPERATOR.[2]

This manuscript must have been written during the temporary displeasure of the King towards Napier. See the previous numbers.

[2] These last words are written emphatically large in the manuscript It is a speech put in the mouth of the Emperor Diocletian, after his voluntary abdication of the throne, when declaiming on his favourite topic, the difficulty of being a good prince. Gibbon thus paraphrases the passage. 'How often is it the interest of four or five minis-

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II.

A SHORT DISCOURS UPON SOME INCONGRUITIES IN MATERS OF ESTATE.

1. *Churchmen's Greatness.*

That churchmen have competency, is agreable to the law of God and man. But to invest them into great estates, and principall offices of the state, is neither convenient for the Church, for the King, nor for the State.[1] Not for the Church, for the indiscrete zeale and excessive donations of princes were the first causes of corruption in the Roman Church, the taste wherof did so inflame the avarice and ambition of the successors, as they have raised themselves above all seculer and soveran power, and to maintayne the same have obtended to the world certain devyces of there own for maters of faith. Not to Kings, nor States, for histories witnes what trubles hath been rayssed to Kings, what tragedies among subjects, in all places wher churchmen were great. Our reformed churches having reduced religion to the ancient primitive truth and simplicity, ought to boware that corruption enter not in there church at the same gate, which alredy is oppin, with store of attendant therat, to welcome it with pompe and ceremony.

2. *Fals Maxims.*

Tutors and counsellors to young princes, next under God, have the fate of after times in their hands. For according as the first impressions and maximes of

ters to combine together to deceive their Sovereign! Secluded from mankind by his exalted dignity, the truth is concealed from his knowledge, —he can see only with their eyes, he hears nothing but their misrepresentations. He confers the most important offices upon vice and weakness, and disgraces the most virtuous and deserving among his subjects. By such infamous arts the best and wisest princes are sold to the venal corruptions of their courtiers.' The quotation in Lord Napier's manuscript is from Vopiscus, a learned Syracusan, reckoned the Coryphæus among the six authors called *Historiæ Augustæ Scriptores.*

[1] 'Laud,' says Clarendon, writing at a later period, 'did really believe that nothing more contributed to the benefit and advancement of the church, than the promotion of churchmen to places of the greatest honour, and offices of the highest trust. This opinion, and the prosecution of it, (though his integrity was unquestionable, and his zeal as great for the good and honour of the state as for the advancement and security of the church,) was the *unhappy foundation of his own ruin, and of the prejudice towards, malice against, and almost destruction of, the church.*'—Hist. Vol. i. p. 152.—The date of Lord Napier's MS. is probably soon after the coronation visitation to Scotland in 1633, when Charles imprudently raised so many churchmen to his councils, and invested Archbishop Spottiswoode with the seals of that kingdom.

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government, wherewith these new vessels are sesoned, be solid and true, or subtile and fals, so prove the times happie or miserable.

3. *Bad choyce of Servants.*

To kno men, there abilities, disposition, and affections, is the proper art of princes, there most profitable studie, the abrigment of all good government. For, there being no publique bissiness which falleth not within the compas of some office or imployment, by this knoledg, though there were no other, the prince salbe able to furnish all offices with able and honest men, who doing the dutie in there severall spheares and imployments necessarily concludeth a happie government of the whole. Such men ar rich pryses, and the pretiousest jewels of the crown. To take them upon hazard is a lottery, and recommendation is factious. Election upon knoledg is the best; and next to that is the common report and reputation; for, *nemo unquam omnes fefellit, neminem omnes fefellere.*

4. *Implicit Trust.*

Absolute and implicite trust in whatever they do or deliver, without further enquirie, lyk blind obedience, nather religion nor wisdome doth allow. For *ipse dixit* is a premiss necessarily inferring truth in God alone; it emboldeneth men to deceive; it maketh the servant great and the master contemptible; *indicium regis non magni, magni liberti.* For a prince, like a good horseman and pilot, suld never lat the raynes and rudder out of his awn hand.

5. *Countenancing of Unjustice.*

Kings are the formall warrant of justice betwixt subjects; much more are they obliged so to be in there own deed. To countenance bad causes is most dishonourable to them; of sovereigns they debase themselves to be parties, vilifying therby the princely authority; therby, it may be, they get the love of one, the dislyk of the other,—a bad exchange, for *injuries are written in marble, benefits in dust.* Besyde, all men find themselves interest in justice; the stoping the course therof, or perverting it, grieves every hart; wicked are those who move them to it,—lyk Dalila they cut there hair when they are asleep, and rob them of the subjects love, wherein there strength consisteth.

6. *Fals Information.*

To govern wel, good counsel and sure information are requisite. *This* is the

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ground of *that;* for no good advyse can be given if the estate of the matter be mistaken. Of the two, *true information* is the most necessair for the affaires of remote kingdoms; for those bissinesses which require deep advice are managed there where the person of the prince resydeth; seldom do great matters occur in remote places, and where they do, the nature of the thing alloweth tyme of deliberation, (for great bodyes have slow motions); there, if matters go in the ordinary way, all is well; but, without true information, a prince can nather order things, command, signe, nor direct anything aright.

7. *A Kingdom in itself devyded.*

This is good for the King, ill for the people, good for the people, ill for the King, and contrarily, are incongruities in speech, impossibities in nature, and cannot be instanced; they divyd things indivisible, and separat what God has conjoyned, and have wrought bad opinions in the minds of princes and their subjects in some parts of the world; they are fals though frequent, and are the eruptions and sallies from the minds of those ill spirits which walk betwix a King and his people. For a King and his people mak up one politik body, wherof the King is the head. In a politik as in a natural body, what is good or ill for one is so for both, neither can the one subsist without the other, but must go to ruin with the other.

8. *Obscure Lawis and Letters.*

Princes' letters and laws ought to be cleir and perspicuous, without equivocal or perplexed sense, admitting no construction but one. For an obscure law alledged in any caus, gives occasion of more proces, more dispute, and delay, than the caus itself; and an obscure letter makes the party, in whose favour it is conceaved, to come up, or require an explanation by a second, and his adversary to purches a contrary one; (which may be done, where there is double sens and obscuritie, without danger, the interpretation being allowed to the contriver, or at least may serve him for excuse, as being his *error* not his *avarice*,[1] which cannot be where words run in a clear and genuine sens;) whereby the prince is * * * * * * * *[2] and they extremely damnifyed.

[1] See this illustrated in a passage of Lord Napier's Relation, *ante* p. 52. The value of the advice was verified in the sequel. In each fresh impulse given to the democratic movement, the Covenanting faction excused themselves, as a certain class of writers yet attempt to excuse them, upon some double sense alleged to be detected in the King's concessions.

[2] Manuscript destroyed.

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9. *Exactions.*

Wyse princes love rich subjects; for seditious commotions, nor insurrections, do seldom, or never proceed from men who find themselves well in their private estates;[1] but they who are pressed with necessity at home are glad of any occasion or pretext to trouble the public quiet, and to fish in troubled waters to better their fortunes. Pernicious, therefore, is that advice to keep subjects low and poor the better to govern them.

10. *Protectioun of Evill Servants.*

To protect fathfull servants is a generous and princely part; and [to protect] the guilty, too, against the pursute of another that is powerfull, may perchance seem to mayntayn a prince's prerogative; but then he ought to be punished by [the prince] himself. So shall justice be satisfyed, the honour of the King's service, and his prerogative, remayne inviolated.

Those counsells (with the lyk of that kynd,) wherein the prince's good is pretended, the private ends of these bad councillors only intended, hath been the efficient causes of the ruin of Kings, Kingdoms and Estates,—which Almighty God can only remead. And therfor, let all good subjects who love their prince and countrie, pray with Solomon, LORD REMOVE THE WICKED from the King, and his throne shall be established in righteousness.[2]

[1] The needy Rothes was the father of the Covenant. He was eventually bought off by the prospect of a place and a rich marriage at court, and actually died a courtier. The first great result of the Covenant was, as we shall find, the scramble among its leaders for offices torn from the King's prerogative in 1641; and its subsequent progress was simply the securing by Revolution, what had been so lawlessly acquired by insurrection.

[2] These far-sighted reflections, on the prospects of King and country, were noted in the privacy of his closet, and ere the great Rebellion had commenced, by a nobleman who may be said to have reared that 'bloody murtherer and excommunicated traitor' Montrose, and whom we shall presently discover sharing and approving every step of his calumniated pupil's career, from his early and mistaken support of the Covenant, to his raising the royal standard in Scotland. Had Napier, like Clarendon, lived to know the fate of Charles, and to trace his history back from its bloody close through all the mazes of faction and faithlessness that destroyed him, he would have needed not to depart from or alter a single sentence of his painful meditations.

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III.

Privat ends ought not to be devyded from the Publik Good.

Our ends ar the centers of our mynd; they gif motion and forme to the whole circumference of our thoghts,—and as within a large and wel framed circle there may be drawn many lesser, with there just proportions, and without disturbing one another, by fixing there several centers on that of the great circle,—so, in a wel governed state, all privat endevers, altho different in proportion of power and greatnes, do with facilitie move within there own spheares, without any disorderly interrupting of others, when the subjects privat ends ar concentrik with the public good. This is the beautifull ordour of the great Monarchie of the Univers, where the Heavens, Planets, and Elements have there distinct spheares, except those two heavie bodyis, Earth and Water, which hath one orbe, lyk a corporation in a state: For they have all one common center, or all there centers in one. But if the poynt of any inferior circle be never so little distant from the center of the greatest, it devydeth and cancelleth some part of thes circles that ar above and below: and the subject who hath his ends never so little excentrik from the publik good, the sphear of his endeavoirs must neids cross other mens honest intentions, and in exchange be agayne crost be them, disturbing the natural ordour of societie, and compassing there own ends with difficultie and opposition: For if he be a great man that hath the compas of his power neir to that of the Prince or State, and the center of designs distant, his actions within the state are nothing els but cross and cancelling lynes of all privat and publik endevoirs: and his correspondences abrod (the part of his circle that extendeth itself without the great circumference of the state) are but wayes and opportunities to enter and oppress it on the other syd: Besyd, his own ends are in the middle of his thoghts, but the publik good is thrust to a corner or excluded the whole compas of them: And if he be a mean man, whose narrow circumference is neir his own ends, and far from retching the compas of the state, his different end shall mak him truble all that ar within the precint of his power, and exclude the common good: And with difficulty shall they compas there own ends, becaus there particular motion stryves againes the universall stream of affairs. It is therfoir the duty of a good subject, in regard of the good of common society, and of a wyse man in respect of his own, to fix his private ends on the center of the publik good, that without ather active or passive inter-

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ruptions, the circle of his travels may compas the publik good, and easilie in it his own.

Of Faction.

Just grevances, if they be of severall kynds, seeketh redres singlie, by ordinarie justice, or soverane equitie, seldome or never by way of confederacie. But the exhalations of envy, hate, avarice, and ambition, compact themselves togidder in a cloud of faction, going about to distemper the air of quyet tymes, and to eclypse the bright beames of the prince's favour, tho they cannot stop the influence of the same from descending on a wel deserving servant. But as they ar terrible in show to the apprehension, they ar contemptible to the judgment, for there weakness and short continuation. It is the subtle practizes and secreat aspersions of supposed frends that ar the noysum vapours which breede a perpetual plague and mortalitie to our fortunes and reputation. The oppin factions, for the most part, ar ather prevented or provyded for, and when they ar most fearfull, threatning death and destruction, they do but consume themselves, shooting there thunderbolt againes some remote place of the sensles earth. For a faction, lyk a meteor, is a body imperfytlie mixed, consisting of partes disproportionable in there qualities, dyvers in there ends and designments, different and sometymes contrary in there causes, proceedings, judgments, and affections, and as interchangeablie affected as air and water: Besyds, those partes ar badlie united, becaus they want that soverane and constrayning power which is the band of all lawfull societies, to direct and enforce there private endevoirs to publik ends; They contayne therfoir within themselves the seedis and causes of weaknas and dissolution, to wit, contradiction and diversitie; and wanting a transcendent and controlling power, there addition in number is but a diminishing of force, for the greater number the greater diversitie; so that, spending there force in mutuall contradiction, they ar weak against any thrid. But lawfull societies ar lyk naturel bodyis, whose partes being of one kynd are inclyned to unitie; yet ar they devydit to be the moir fit for variety of action and motion; their unitie is devydit and there division united, for the good of the whole, by a soule of soverane power, which animates and strenthens the whole and every parte. Factions therfoir ar easilie dissolved by the sun of Majestie, or dissipat and banished the horizon of the State by the strong windes of princely power. But if they ayme at any eminent person, but yet a subject, he shall hardly oppress them by mayne force and opposition; for that confirmes there resolutions, and binds them togider with common fear and desperation; a dangerous enemie, which, lyk Anteus, cast down to the ground doth even

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from thence recover new strength and fresh courage. It wes wel advysed by one, 'mak your enymies a bridge of gold;' and wysly practized by another, whose forces having entered a town, while the inhabitants seeing no means of escaping gathered themselves togider resolving to dye and revenge there deaths valiantlie, opened a port giffing way to there desperation, whereupon they all fled and were cut to pieces without resistance. The ancient advice is this best cours, *divide et impera*, gently and wyslye to mix threats with promises, to practize on the hopes and feares of men, gayning them at any rate except by dishonor or demonstration of fear; of which, some are publikly to return to there duty, to lead the way to others, and to discourage the rest; othersome, to remane with the factious to gif intelligence of there courses, a mater however dishonest to them yet excusable aneughe in lawfull defence; others that are not to be purchased ar to be sent away under cullour of other employments; discretion and the present bissiness will furnish other remedes wherof no reule can be giffin. Thes be notions arysing from a generall knoledge, and therfoir must be imperfyt in particularities; nather do I presume to gif precepts to wyse men; but becaus greatest judgments ar ordinarly defective in the inventive faculties, which in them heth some tymes been awaked and stirred up by a word of a foole or ignorant to tak wys and sound courses, I do not dispair but the lyk effect these words may work; which if they do I have my wish.

Of Lawes.

Lawes ar the commandes of the Soverane, agreable to reason, enacted for the comoun good. There be four branches of this tree: the law of God, of Nature, of Nations, and the Civil law. The law of God is that immutable ordinance wretin in our hartes with the finger of God, and published in the Decalogue. The law of Nature is the comoun law of all living creatures, tending to the preservation of them and there kyndes. The law of Nations is the comoun consent of all people for the commodious use of all sorts of traffik and negotiations amang them. The Civil is the particular law of one State, preserving society by giffing every one his due. The first three ar confounded and promiscuously used by authors. There bounds and jurisdictions ar best known by four conditions in man subject to those lawes. His reason is the jurisdiction of the law of God and natural equity: His sense is the circuite of the law of Nature: As he is an inhabitant of the world, he is subject to the law of all nations: And as he is a citizen of a State, he is subject to the lawes of the same. Under the law of God and Nature the first men wer born;

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our wickedness gave the occasion, and our necessities begat the rest: For by the law of Nature men wer free, equall, and all things wer comoun amang them: Our avarice and ambition broght into the innocent warld warr, captivitie, servitude, disparitie of estates, propriety of goods, MEUM and TUUM, the perpetuale seed for the lyk fruites in succeeding ages. Then of necessitie wer we forced to establish lawes to reule those evils which we could not remove; that of Nations by a comoun and facile consent; and the Civil law by the command and autority of the Prince. With thes bonds, (for *lex* and *religio* comes fra *ligando* and *religando*,) wer all mankynd tyed to performe ther dutie, which is a law to the good of a larger extent than any positive law can be; *latius patet officiorum quam juris regula.* But to the bad, law is duty which if they can ather keepe or defraud they think themselves dischairged of there dutie. Lawes restrayne violence and oppin injurie, the doghter of war; but the superfluous aboundance of them ar not only arguments of a corrupt State, sick for want of duties necessarie for society, (for of others the law takes small or no notice,) but also fraud, the bastard of a luxurious peace, hath her dishonest birth covered, and herself is nurished and wrapped in the multiplicity of them; *olim vi nunc legibus laboramus;* by which particulares ar oftymes more damnifyed, altho by violence, and reparations by it, the State receaves greater hurt. All humane lawes ar temporarye and imperfyt; for there subjects ar accidents, and evills of ensueing tymes, which ar so infinite, and so variable be reason of there circumstances, as no law can comprehend: Wherefoir, to use the dead letter, and inflexible rigour therof wer the greatest tyranny in the warld. And tho reason be the soule of lawe, (which in its own nature is firm, but in regard of tymes, objects, relations, and other circumstances, is changeable) yet is it more blind and defective in things to come than in present maters. Therfore they stand in need of the Soverane's equity to interpret, add and substract, aggravat and mitigat them and there punishments as he shall see caus. Civil lawes ar reules for the subjects to live by; but the Soverane is exempt from them, becaus they ar his own commands; *nemo potest sibi imperare;* commandment and obedience implyis pluralitie of persons; it is as absurd to subject a Soveran to this law as in logik to place contraires in one person, of one mater, at one tyme; or as it is in natural philosophie to say that one simple body can do or suffer of itself; for there is nothing that doth subsist, ather in deed or imagination, but we have words to express it; but the commanding of ones self cannot be exprest be any word, because all languages that ar, or ever wer, want the first tense of the imperative mood. Therfoir these

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men that wald persuade us of a Soverane prince's subjection to the civill law of his own dominions, are greater lyars than they that tell us fictions and chymerais; for these things have being at least in their fantasie, where the other hath being no where in the whole compas of nature. But a Soverane prince in regard of his subjects, is subject in respect of God his Soverane. Therfoir he is subject also to his law, to reason, and naturel equity. If he transgress those lawes, his punishment salbe God's displeasure, the only magistrat must punish him; for he and no other is greater than a Soverane prince. From the fontane of this supream reason ar deryved certane streames to every particular law, which is alterable at the Prince's plesure. Iff he transgress not this supream reason to which he is subject, and if he observe those lawes, he doth it not in regard of any subjection to them,—*quanquam legibus soluti sumus legibus vivimus*,—but for his subjection to the supream reason; and if he do it not, he transgresses not the law, becaus he is not subject to it, therefoir not punishable by it; but he transgresses against reason and naturel equity, and his punishment is to be remitted to God: Sufferance and obedience is our partes.[1]

[1] That Montrose had precisely adopted from Lord Napier this theory of Sovereign power, will be seen from his own letter or essay on the subject, in a subsequent part of this volume, wherein he propounds the doctrine in a style very similar. Napier himself was a scholar of James VI., whom he had personally attended for fifteen years. That Sovereign, in his discourse on the true law of free Monarchies, had pressed the very same propositions, which, coming from such a quarter, necessarily fell under the disgust and suspicion of mankind. Surely it must have startled even the loyalty of a faithful servant to hear announced, by James himself, the tenet, that 'although a good king will frame all his actions to be according to the law, yet he is not bound thereto, but of his own will and for example-giving to his subjects' (King James's Works, p. 207.) Yet it is sad t think that the opposite doctrine of freedom was illustrated in later times by two of the deepest tragedies, and foulest crimes recorded in history, the murders, namely, by their respective subjects, of Charles I. and Louis XVI.

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PART II.

It was during such turmoils and dishonest intrigues in the Scottish Councils, of which the preceding Part affords illustrations not to be met with in the general histories of the period, that the affairs of the young Earl of Montrose were carefully superintended by the Treasurer-Depute, as some of the foregoing papers indicate. The incidents which he records, seem to have rendered it the prevailing habit of Lord Napier's mind to inculcate theories of good government, and precepts of upright statesmanship, with Utopian purity and precision. Montrose, domesticated from boyhood in the family of his relative and curator, to whom he formed a very strong attachment, and being of an unusually precocious nature, could not fail to imbibe these lessons at a very early period of his life. That he was even inclined to pen learned dissertations upon such topics, in a tone of sentiment, and style of language, obviously formed upon Lord Napier's, will appear in the sequel. In this peculiar and elaborate style, they mutually addressed Charles I., when conveying to him, from Scotland, that private advice, the detection of which subjected them to the tyranny of the Covenant. Whether their advice was sound or not, and whatever the value of their theories, it is impossible to read these documents without feeling assured of the upright intentions, and singleness of purpose, from which they flowed. All that remains of them are, in this volume, now collected for the first time; and, with the addition of some very interesting family papers, relating to his College life, of which this second Part is composed, will afford a complete illus-

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tration of the youthful habits, education, and early formed principles of Montrose.

There is nothing of all this to be found in Wishart's Latin History. The engrossing object of that eloquent and justly indignant eloge, was to establish the European fame of Montrose, against the monstrous calumnies with which the dominant Church party in Scotland had systematically clouded his generous character and heroic conduct. Ably and triumphantly did the classic record fulfil its mission. The integrity of it has been virulently assailed, just because of the severity of its truth. But the life of Montrose, however soon and suddenly he emerged into public notoriety, comprehends an earlier and most interesting chapter, which has been latent until now. The editor of these memorials, when formerly bestowing much pains in collecting original materials for a complete biography of Montrose, and while very successful in illustrating his public career from unexplored sources, was enabled to furnish no more than a meagre and conjectural account of his youthful days. It almost seemed, when comparing his lifetime with the period occupied by those actions which attracted the attention of Europe, and elicited the admiration of De Retz, as if the hero's rapid destinies had denied him a boyhood at all. The Church party, composing the government of Scotland during the Rebellion, delighted to clothe him with the attributes of the viper and the hyæna, and hoped that posterity would believe them. But that spirit of abuse, the soiled mantle of which is still fantastically displayed, merely characterises a sect in Scotland, whose testimony has found its level. Sir Walter Scott introduced Montrose on the stage of his life-like personifications. Yet even he failed to familiarise us with the individual, and that effort of genius diverged into Sir Dugald Dalgetty. And thus, Scotland's most interesting worthy is only known to us, in his melan-

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choly apotheosis, as the youthful self-devoted champion, and heroic martyr, isolated and undefined, the Hamlet of History.

Recently, however, the editor has been so fortunate as to discover that some minute particulars, relating to the education and youthful habits of Montrose, are to be gathered from a mass of domestic accounts, Factors' books, and other papers, which, surviving the troubles of the times, and the vicissitudes of two centuries, and yet more wonderfully escaping the total destruction, by his enemies, of those various castles of Montrose whose peaceful domestic economy they record, had remained unsearched and unknown until now. Yet are these accounts so circumstantial, as to possess the character of a personal diary, of the very period of his life that is least known. It is gratifying to be able to add, that, as soon as discovered, these papers were most liberally communicated by their present possessor, Sir James Carnegie of Southesk, in whose archives they have been at once lost and preserved. Their history is easily traced. Montrose, while yet a boy, and under the charge of curators who were all related to him, was married to Magdalene, youngest daughter of Sir David Carnegie, created Lord Carnegie of Kinnaird in 1616, and Earl of Southesk in 1633. The marriage contract, still existing in the Montrose charter-chest, is dated at Kinnaird, 10th November 1629; and, probably the tender age of the married parties had occasioned this obligation, on the part of Lord Carnegy, 'To entertain and sustain in house with himself, honourably, the saids noble Earl, and Mistress Magdalene Carnegie, his promised spouse, during the space of three years next after the said marriage.' In consequence of this arrangement, all the Factors' books, relating to the young Earl's various baronies, and the accounts of his personal expenditure at College, and elsewhere, had been removed to Kinnaird, where they have remained ever since in per-

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fect obscurity. Sir James Carnegie, their present possessor, is the representative of Montrose's father-in-law, the first Earl of Southesk.

These accounts have been preserved for the most part in the form of thin folio paper books, unbound, but carefully sewed; and that they are in the same state, even as to the stitching, in which they were made up two hundred years ago, appears from the following docquet upon two of them that had been sewed together:—

Robert Grahame his comptis of ferme teinds, crop 1627 yeirs, and sundrie deuties of the crop 1628 yeirs, and of the corn yaird of Kincardin, Aldmontrois, and Maritoun, crop 1627 yeirs. This is of all the Baronies, viz. Mugdok, Achinclothie, Aldmarok and Ester Mugdok, Dundaf, Bairdrell, Kincardin, Fosswell, Abbirruthven, the Holiland, Aldmontrois, Maritoun and Fullertoun, all in ane buik futtit and maid at Drumfad, the 18th day of October 1629 yeirs.

And farder there is ane uther buik *sewit within this buik*, quhairin Robert Grahame maid compt of Aldmontrois, Foullertoun and Maritoun, of the fermes and teinds and uther deuties of the crop 1628 yeirs, and with the salmont fischeries bathe of the crop 1628 and crop 1629 yeirs, maid and futtit at Drumfad the 18th day of October 1629 yeirs.

One of these account-books, printed first in order of the appendix to this Part, is thus ominously docqueted on the back—'The dayet of the Burriall.' It proves to be a most methodical record of the consumption of viands in Montrose's castle of Kincardine, at the time of his father's death and burial; and the account is headed by the following curious title, which affords a more accurate date of the demise of Montrose's immediate predecessor than had hitherto been obtained:—

The dyet and ordinar expenssis of Lord James his hous, halden in Kincardin, and beginand the 7th day of November 1626, and continewand to Monday the 8th of January 1627 that his Lordship raid from Kincardin to Kilbryd, my Lord of worthie memorie his Lordship's father deceasand in Kincardin on Tysday the 14th of November 1626; his Lordship being present in Kincardin the haill space

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accompaneit be his Lordship's honorabill freinds: The burriell wes accompleissit the 3d of January, and the haill freinds remainit in Kincardin therefter satiling his Lordship's affairs, till Soinday the 7 of January; the expenssis as followis extending to 8 oulks.

Then follow the items, and their value in money, of what was consumed from the *Pantrie*, the *Wyne Sellar*, the *Aill Sellar*, the *Lairdner*, and the *Pettie Lairdner*. Whatever the measure of the obituary mourning, the feasting was unlimited and lordly. The party of friends above alluded to, as those who had made such havoc in the edible stores of Kincardine, included the relations and near connexions of Montrose, who became the curators of the young nobleman, their chief. These were feasted during the eight 'oulks'—that is to say, weeks—which it took to 'accompleish' this stately burial, and instal the successor, upon *Venison, Beif, Muttoune, Lamb, Veill, Geiss, Caponis*, and other poultry; and of game and wildfowl, *Capercailzies, Black Cokis* and *Ethehenis, Termaiganis, Muirfoulls, Wodcoks, Peitriks, Wyldgeis, Plewvers* and *Birsall foulls*. A richer bill of fare of game could scarcely be produced, even in these days of improved fowling-pieces, from any Scottish nobleman's larder, upon one occasion of feasting. Of the generous liquors there were consumed one puncheon of *claret wyn*, and one puncheon of *quhyt wyn*, besides nine gallons of *Ester aill*, and, doubtless, smaller ale unmeasured. Nor was business neglected during this hospitality, as the following note indicates, from Sir William Graham of Braco, brother to the deceased Earl, written just two days after his death:—

James Duncan. I understand my Lord of goode memorie, my umquill brother, haid commandit ane precept to be direct to you for payment of ane hundreth and fyve pundes to Robert Henrison baxter in Stirling, and for the pryces of ten

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bollis twa fyrlottis flour furnishit be him to his Lordship's houses in Kincardin and Garscuib; and for accomplisching of his Lordship's mind heiranent I desir you to pay him the said hundreth and five pund, ressaiving his dischairge therupon. I and uther his Lordship's freinds sall allow the sam in your compt. So luiking for the performance heirof I rest yours

SIR WILLIAM GRAME.

Kincardin the 16th of
Novr. 1626.
To James Duncan, burges
in Glasgow, Factor of Mugdok, Thes.

Thus in peace, not decreed to his illustrious son, departed the last Earl of Montrose who bore that title at his death. From the Southesk papers it appears that he was managing his own affairs as usual not long before his decease. The following is, perhaps, the last precept which he signed, there being none of more recent date among these accounts:—

Laurence Grame, our factour of Kincardin, ye sall not faill to pay and delyver to our servitours Johnne Melros and Robert Mailer equallie betwix thame the sowme of thrie skore four pounds money, quhilk sowme, togider with xxxij lib. whilk we have caussit give thame presentlie, wilbe in compleit payment to them of all fies awing them for their service maid to me preceding the term of Witsunday in anno one thousand sax hundret twentie sax yeires, quhilk sowme of iij^{xx}iiij lib. money salbe allowit to you in compt of our Mertimes dewtie in Stretherne anno foresaid upon syght of your discherge and this precept subscryvit at Kincardin the 24th of August 1626.

MONTROSE.

This Earl lived the retired life of a country gentleman, and seems to have been very domestic in all his habits. Something of these may be gathered from the family accounts, of which the few extracts given below indicate that he amused himself with archery and golfing, and indulged somewhat in tobacco. The following extracts are from 'Patrick Bruce

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compt buik of the rental of Aldmontross and Fullertoune, crope 1624 yeirs':—

Item to the Muir Greive for keping of the Muir, .	ij firlots meal.
Item to John Lyndesay in bounta of ane hagbut, .	ij bolls meal.
Item given the 12th of Marche 1625 to Patrik Lytstone for ane dusone goiff balls to my Lord, . .	iij lib.
Item to the minister's man that brocht books to my Lord at command, ...	vj sh.
Item for iiij unce tobacco to my Lord be the way cumming to Montross from Kincardin at vij sh. vj d. the unce, ...	xxx sh.
Item to Drumfad for ane qwhyte wyn punshone to put Merche Aill in, ...	xxiiij sh.
Item given the 14th of Apryle for iij ells ane quarter ell round linning claith to my Lordhis black breiks,	xxiiij sh. vj d.
Item for four drope weiht black silk the said day,	viij sh.
Item for twa dusone tobacco pypes the said day, .	viij sh.
Item given upon the 8th day of May 1625 in new Montross for vj bolstrings to my Lord, . .	ix sh.
Item given for vj oxen to my Lordhis pleuchs in October 1625, ...	vij^{xx} lib. vj sh. 4d.
Item the 11th of October for tobacco pypes, .	iiij sh.
Item to Duncan Kay for the impost of two punshonis of wyne, ...	xij lib. x sh.
Item given the 28th day of October for lok and bands to my Lordhis studie and cabinat, . .	iij lib.
Mair, given that day to Alexander Madden for making and putting up of the said studie, . .	v lb.
Mair, to Alexander Madden his sone for presenting of ane ham, ...	xij sh.
Mair, that day to ane tailzeour that maid ane stand of claiths to my Lord, ...	iiij lb.
Mair, of drink siluer to his men, . . .	xx sh.
Mair, that day for ane pig full of ink to my Lord, .	vij sh.

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Mair, to my Lordhis twa posts that brocht the tobacco,	iiij sh.
Item the first of November for tobacco pypes, .	iiij sh.
Item to John Mershell that brocht them, . .	ij sh.
Item given to John Lyndsay for ane hagbut, .	xx lb.

In another account-book of the same factor, 'futted and allowit at Kincardin the 4th day of Februarie the yeir of God 1625, in presence of my Lord, Sir Johne Colquhoun of Luss, Knycht, Patrik Grame of Inchbrakie, and Johnne Grame of Killerne,' the following items occur:—

For half ane pund tobacco sent to the west countrie to my Lord, ...	iij lib. viij sh. iiij d.
For ane unce of tobacco coft to his Lordship in October 1623, ...	xiij sh. iiij d.
For 18 golf balls to my Lord, . . .	v lib. viij sh.
To Mergret Stirline[1] to by cairdes with, . .	xxx sh.
For powder and leid to my Lord's gunner, . .	iiij lib.
Gevin for tobacco pypes, ...	vj sh.
For dressing my Lordhis sword in Brechin, . .	xx sh.
For ane pair schone to Lord James[2] the xxvj October 1623, ...	xxvj sh. viij d.
To Alexander Maden for makin ane cais to my Lord's purtrat, ...	xxvj sh. viij d.
To James Myln for mending me Lord James' bow, .	vj sh.
For thred to sew the tapistrie with, . . .	iiij sh.
For twa unce of tobacco to my Lord, the sevint October 1623, ...	xxvj sh. viij d.

Montrose's father could not have been far advanced in life at the time

[1] Margaret Stirling appears to have been the Earl's housekeeper.

[2] Montrose is always designed 'Lord James' in his father's accounts. Probably these are the earliest notices of the hero extant.

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of his decease, as an exploit of his youth, occurring only some thirty years before, is thus noted in Birrel's Diary:—'1595, the 19th Januar, the young Earle of Montrois fought ane combate with Sir James Sandilands at the Salt Trone of Edinburgh, thinking to have revengit the slauchter of his cousine Mr Johne Grahame.' At this time he was only Lord Graham, as his father, the third Earl of Montrose, sat as Viceroy in the Parliament of Scotland, in the year 1604.[1] It is curious to contrast this evidence of the hot blood of the Graham with the following letter from the same nobleman, towards the close of his life, indicating a thrifty and peaceful decline:—

Laurence Grahame,

I doubt not bot ye have bein cairfull in causing haist the making of my doghter Beatrix hir goune as I derectit you. I have send this bearer Harie Blacwod to bring hir to me, as he will schaw you. It is my will also that the tapestrie in my ower chalmer in Kincardin be taine downe and pakit weill, to come to me to Mugdok, as I have send Mergaret Stirling and Robert Taylzer word to be cairfull of it,

[1] Five years after his son's exploit at the Salt Tron, the grandfather of Montrose evinced his loyalty in a very determined and business-like manner. Among the papers of Sir John Drummond of Hawthornden, the poet's father, there is one entitled 'Instructions from King James VI. to Sir John Drummond; and the noblemen their engagements to assist his Majestie against the English, 1600.' These engagements are signed by the Earls of Montrose, Errol, and Angus. That on the part of Montrose is as follows:—

'The affectioune quhilk I beirs to the King's Majestie, to the furthering off his Majestie's rycht to the Crown of England, sall mak me nather to spair my self nor freinds, but all salbe redy, evin to the hazard of lyff, in the furthering off that honourable errand; and off my geir I am content to giff his Majestie for this sam purpois four hundred crownis quhen evir his Majestie sall haiff to do with the sam.

'MONTROSE.

'This salbe redy at Whitsunday nixt, or sooner giff his Majestie haiff to do therwith.

'MONTROSE.'

For the above I am indebted to David Laing, Esq., who is preparing some account of the Hawthornden MSS. for the press.

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quhilk ye sall sie weill done, and send guid cariage horss with it, with all expeditioune, and send Robert Taylzer to convoy it. Farther it is my will that ye delyver to Harie Blacwod aucht bolls meill, and four staine of cheis. From Mugdok the 28 of Junij 1625.

MONTROSE.

I have derectit, as I tauld you that I wald do, my tua gray haiknayis to be put to the gress in Kincardin, and hes derectit Robert Mailer to wait on thame; so ye sall answer him his boll, according to use and wonte.

To our servitour
Laurence Grahame
factor of Kincardin, These.

The Lady Beatrix Graham mentioned in this letter was the Earl's youngest child; and she must have been very young at the time, as Laurence Graham, in his account-book closed on the 24th July 1624, thus unceremoniously refers to her Ladyship:—'Item, for shone to the bairne Beatrix, xl sh.' In after life Montrose took especial charge of this young lady. Upon the 27th of March 1639, when in the midst of active preparations, at Auld Montrose, as the Covenanting commander against the Loyalists of the North, he there signed a deed securing to her a portion of twenty thousand merks, and gave it into the custody of Lord Napier, in whose family charter-chest it yet remains. This was not granted unconditionally, however, for it concludes with this clause:—'Provyding alwyse, lykeas we haif gevin and grantit thir presentis upoun this speciall provisioun and conditioun, and no utherwyse, that in caice it sal happin the said Lady Beatrix, as God forbid, defyle her body, or joyne hirself in mareage with any partie without our speciale advyse and consent, then and in these caises, or either of them, thir presentis to be null, and we and our foirsaids altogidder frie of the payment of the sowmes above written, or ony pairt therof.'[1]

[1] See *infra* a family incident which may account for this caution.

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The object of her noble brother's solicitude was eventually married to David third Lord Maderty, his friend and follower; and the tocher was fairly won, if, as is more than doubtful, Montrose was at that time in a condition to fulfil it. From a daughter of 'the bairn Beatrix,' named after herself, descended a race of Earls of Hyndford.[1]

The mother of Montrose was Lady Margaret Ruthven, eldest daughter of William first Earl of Gowrie. The terms of her husband's letter to his factor, in which he even gives directions about the making of his young daughter's gown, indicate that the family had already been deprived of a mother's care. Montrose was the only son, and there are traditions which would go to prove that both of his parents partook largely of the superstitions of the times, and were anxious to dive into futurity respecting his destinies. The source, however, of this information is not to be relied upon, being the somewhat malicious MS. chronicle of the well-known Scot of Scotstarvet, whose biographical anecdotes are remarkably meagre and inaccurate from a contemporary statesman. He says, 'Montrose's mother consulted with witches at his birth.' This is quite possible, considering the prevalent superstitions, and that this lady was the sister of the famous Earl of Gowrie, of necromantic memory. But the anecdote is rendered very apocryphal, when he adds, that 'Montrose's father said to a gentleman, who was sent to visit him from a neighbour Earl, that that child would trouble all Scotland; he is also said to have eaten a toad whilst he was a sucking child!' Mr Sharpe, the accomplished editor of Kirkton's History

[1] The sons of this marriage having died young, the title of Maderty devolved upon General Drummond, afterwards first Viscount Strathallan, a younger brother of the husband of Lady Beatrix Graham. There were also several daughters, one of whom, Beatrix Drummond, was married to John first Earl of Hyndford, 9th October 1669.

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of the Church of Scotland, seems to admit the truth of this anecdote, apparently for the sake of adding the caustic remark that Montrose's appetite was yet more depraved in youth, when he swallowed the Covenant. There can be no doubt, however, that this ferocious trait attributed to the infancy of our hero, as well as the parental prediction, had been, either carelessly or maliciously, transferred from the nursery annals of the Regent Morton.[1]

Montrose had five sisters, the Ladies Lilias, Margaret, Dorothea, Katherine, and Beatrix. The two eldest were married before the death of their father; Lilias to Sir John Colquhoun of Luss, a worthy of whom more anon; Margaret to Sir Archibald Napier of Merchiston, afterwards Lord Napier. To the worth and beauty of the Lady Margaret, her own husband bears his affectionate testimony. Speaking of

[1] 'Morton had credite at the Courte, being left there by the traitoures to give intelligence how all maters past there, and how to betray his Mistres; for they could not chuse a more fitte man than him to do such an act, who from his very youth had been renouned for his treacherie, and of whome his own father had no good opinion in his very infance; for at a certane time his coming foorth with him in a garden where his father was, with some that had come to visite him, busie in talk, the nurse setting down the childe on the greene grasse, and not much mindinge him, the boy seeth a toade which he snatched up, and had eaten it all till a little of the legges; which when shee saw, shee cried out, thinking he shoulde have been poisoned; and shee taking the legges of the toade that he had left as yet oneaten, he cried out so loud and shrill, that his father and the other gentlemen, who were not far, heard the outcries, who sent to see what should be the cause; and when the messinger returned and told the mater as it happned, in all haiste he come where his son was, and, understanding as it was, he caused give the legges also, which he greedilie ate up also; which the father seeing said, 'The Dewille chewe thee, or burste thee! there will never come goode of thee.' As he prognosticated so it happned, for after, he was beheaded at Edinburgh, attainted, and found guiltie of heigh treason for the murder of the King his maister.—(Contemp. Life of Queen Mary, printed for the Bannatyne Club, 1834.)

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the cabal to deprive him of his office of Treasurer-Depute, he says, 'There wes nothing I more desyred in my secretest thoughts then to be fairly rid of that place long before my troubles; for after my wife dyed, a woman religious, chast, and beautifull, and my chiefe joy in this world, I had no pleasure to remaine in Scotland, having had experience of the chiefe of Counsell and Session, and of there manners, to which I could never fashione myselfe; and considering the place I held could never be profitable to a man that had resolved faire and direct dealing.' The portrait of this lady, painted by Jameson, and bearing the date 1626, is in possession of her descendant, the present Lord Napier. The complexion is very fair, and the hair very red; but the expression of countenance does not belie this tribute to the worth and modesty of the original. Not long after the demise of the Earl her father, Lady Dorothea Graham became the wife of Sir James Rollok, knight, designed Laird of Duncruib. This fact is fully instructed by the Southesk papers. There is a discharge granted by John Graham, merchant-burgess of Edinburgh, acknowledging to have received 'fra Robert Grahame, burges of Montrois, factor to the Erll of Montrois and his Lordship's curators, the sowm of two hundret fourtie four pounds, xiij sh. iiij d. money quhilk wes gevin out be me of befoir to Mr Robert Napper, to mak up the compt of sax thousand marks money for the first termes pament of the tocher promittit to the Laird of Duncruib with Lady Dorotie my Lord's sister,' dated at Edinburgh, 1st July 1628. She was married in the month of April of that year, in the house of Lord Napier, who grants the following precept, probably in aid of her nuptial preparations:—

James Duncan, ye sall answer and delyuer to our sister Lady Doratie Grame, the sowme of twentie pounds money quhilk salbe allowed to you, in compt of the

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rent of the barony of Mugdok last taken up be you, be thir presents subscrivit at Edinburgh the sevinth day of Apryle 1628.

NAPER.

This is receavit be me
Dorathie Graham.

The account of Montrose's personal expenses during his education at St Andrew's College, which will be found entire in the Appendix to this Part, commences with his visit to Edinburgh, upon the occasion of these nuptials:—

First, depursed on the penult of Aprill 1628 years for my Lord's twa horses standing in Edinburgh from 22 of Aprill to the 29, . . .	5 lib.
More on that same day to Jhone Menzes for his wages from the twentie two to the twentie nine of Aprill, four shillings daylie, ...	32 s.
More given to my Lord ther, . . .	58 s.
More on that same day for ane paire of spurs to my Lord, ...	20 s.
More for ane pair of shoes for my Lord, . .	30 s.
More for ane taillor boy quho brocht in my Lord's hunting cape and his cloths efter they had been helped, ...	6 s.
More to the pedell of West Kirk of Edinburgh for the testimoniall of that churche befor the mariage of my Lord's sister, ...	36 s.
More given to the servants of my Lord Naper's house at my Lord's departing efter his sister's mariage,	10 lib.
More to the poore at the ports of Edinburgh and Lithco, ...	4 s.
More for Mr William Struther's Meditations,[1] .	16 s.

[1] Robert Baillie, in a letter dated May 23, 1660, from Glasgow, says:—'For famous men of our University and city I can say but little; yet these following come

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More for bowstrings for my Lord, . . .	24 s.
More depursed in Carnok the last of Aprill for two horses hyre from Edinburgh to Carnok, .	4 lib. 16 s.
More the same day to the boy quho hade bak these horses, ...	6 s.

There can be no doubt that this was the occasion of the Lady Dorothea's marriage to the Laird of Duncruib, as, in the account of Robert Graham the factor's 'deburstment on the Erll of Montrois comptis and effairs,' the following items occur:—

Coft and send to Edinburgh, on the xxj of Apryll 1628 yeirs, at direction of the laird of Claverhous' letters, to the mareage of Ladie Doreatie, two calf vaills at sex lib. the peice; mair, ane hudroun vaill, pryce viij lib.; inde xx punds; mair, twa mooirfoulls, pryce x s.; summa, by and attour xxxvj capons, ...	xx lib. x s.
Upon the xj day of Junij 1628 yeirs, at command of ane subscryvit compt quhilk the Ladie Luss gart Umphra Wilsoun cordinar furneis to my Lord's twa sisters, Ladie Katrein and Ladie Beatrix, of fyve pair schoon to ilk ane of tham at xx s. the pair, payit to him as his discharge beirs, .	x lib.
Upon the xvj Junij 1628 yeirs, at command of ane precept direct be the laird of Urquhill in favour of Johnn Carmichell, payit and delyverit to the said Johnn for kids, blackkocks and uther wyldfoull,	

to my mind for the present.' Among those enumerated is:—'Mr William Struthers, born in our town, very pious and learned; long chief minister of Edinburgh; I dare say the most eloquent and gracious preacher that ever yet lived in Scotland.' This purchase was no doubt suggested by good 'Maister John Lambye,' who kept Montrose's accounts, and was probably a clerical character. The item of *bowstrings*, which immediately follows, was likely to interfere with Montrose's study of the Meditations.

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coft be Urquhill and send to Edinburgh in Apryll 1628 yeirs, to the mareage of Lady Dorratie with Sir James Rollok, as the compt and his dischairge thereupon beirs, ... xxxiij lib. xvj d. les.[1]

We must now unfold a darker page of this family history. The older Peerage writers, Crawfurd and Douglas, are both silent as to the fact of Montrose having a sister Katherine, while they record all the rest. Wood, in his edition of Douglas, simply mentions her as the youngest daughter of Earl John; but this unfortunate lady was elder than Beatrix. The shoemaker's account, in which they are named together, is still extant, on a small scrap of paper, uninjured by the lapse of more than two centuries:—

COMPT OF LADY KATHRIN'S SCHOUNE, AND LADY BEITHRACHE'S.

Item in the first to Ladie Kathrin for fyve pair, . v lib.
Item to Ladie Beithrathe fyve pair, . . . v lib.
Summa, . . x lib.

Robert this compt is justly furnishet to my sisters, quairfoir ye sall satisfie the same and tak alowance therfoir in your compts.

LILIASS GRAHAM.

Umphra Wilsoun his compt payit be Robert Grahame, factour.

[1] In these accounts, Lady Dorothea's husband is styled 'laird of Duncruib.' According to the Peerage writers, he was the eldest son of Sir Andrew Rollok of Duncruib, created Lord Rollo in 1651, more than twenty years after the marriage of his son. Lady Dorothea's death is thus recorded by Balfour, in his Annals:—'The 16 of Maij this yeire 1638 deyed Ladey Dorothea Grhame, 3d daughter to Johne Earle of Montrosse, and wyffe to Sir James Rollocke of Dencruibe, knight, in Perthshyre; and by him had no issew. She was solemnly interred at the abbey churche of Holyrudhousse, the 8 of Junij this same yeire.'

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Lady Lilias Graham, the eldest of the family, was married to John Colquhoun of Luss, 6th July 1620, the year after her younger sister Margaret had been married to Lord Napier. She brought him a tocher of L.10,000. It is recorded by all the genealogical and heraldic writers, in their account of the family of Luss, that the husband of Lady Lilias was that same Sir John Colquhoun of Luss who became distinguished for his loyalty and steady attachment to Charles I., and who was punished by Cromwell accordingly. But the father and the son are here confounded, the former being thus entirely lost sight of, except in the fact that he was married to Lady Lilias Graham. Sir Alexander Colquhoun of Luss, father of the Sir John of whom we now speak, had resigned, in his favour, the family estates, some years before his son's marriage. We learn that two members of a prior generation of that ancient and wealthy race, had been disposed of in a summary and tragical manner. Robert Birrell notes in his diary, that upon 'the last of November 1592, Johne Cohoune wes beheidit at the crosse of Edinburghe, for murthering of his awen brother the laird of Lusse.' The husband of Lady Lilias was served heir to his father, 15th June 1625. In the month of August of that same year, Charles I. created him a Baronet of Nova Scotia. But before the monarch had made his first progress to Scotland, he was constrained to address the following letter to the President of his Privy Council there, being that same Earl of Stratherne and Monteith, who figures so curiously in the first part of these Memorials. The original is preserved in the Montrose charter-chest, and has not been previously printed:—

CHARLES R.

Right trusty and right welbeloved Cousin and Counsellor, Wee greete you well. The foulnesse of the cryme committed of late, as wee are informed, by

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the Laird of Luss, having justlie moved us to have the same tryed according to the lawes of that our Kingdome, and him punished if found guiltie, that others may be terrified from committing the like hereafter, Wee have thought fitt to recommend unto you, as our Justice-generall, to have a speciall care that the fact be speedilie and duely tryed, and him punished (if found guiltie) according to our lawes provided in the like cases; which recommending to your care, Wee bid you heartily farewell: From our Court at Wanstead, the 13 of September 1632.

To Our Right trustie, and Right welbeloved Cousin and Counsellor, the Earle of Stratherne, Lord President of Our Privie Counsell of Our Kingdome of Scotland.

Upon the death of her father, Lady Lilias had taken her sisters, Katherine and Beatrix, both very young, into family with herself. Lady Dorothea was adopted at the same time by Lady Margaret, under whose auspices she was soon happily married, as we have seen. There is a note of 'dyat' expenses, dated a few months after that event, and which will be found among the papers in this part, affording an interesting glimpse of the young Montrose, when about sixteen years of age, in company with the Laird and Lady of Luss, his two unmarried sisters, some of his curators, and various other friends, who appear to have been all visiting and travelling together, in merry mood. Little were they then conscious that, at the very time, young Lady Katherine was surrounded and about to be drawn to her destruction, by the villanous arts of her brother-in-law, and his valet, 'who was ane Necromancer.'

A twelvemonth later than the date of this account, and about the very time of the youthful Earl's marriage, we find him still unconscious of the diabolical arts of his brother-in-law, as we may assume from the fact of their continued companionship, indicated by the following item in Montrose's accounts for November 1629: 'Item, the nynth day, in Mon-

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trois, my Lord playing at the golfe with the laird of Lusse; for two golfe club's, 24 sh.'

Some time in the month of September 1631, Sir John Colquhoun of Luss, Lady Katherine Graham, and a German of the name of Carlippis, who was Sir John's valet, all disappeared, suddenly and secretly, from his place of Rossdhu, on the banks of Lochlomond. The great scandal then arose of the unhappy girl's seduction by her brother-in-law, an occurrence of all others most likely to excite the indignation and horror of the virtuous monarch, whose letter is quoted above. That command to the Justice-General was promptly obeyed. Criminal letters, dated 23 October 1632, were raised by the celebrated Sir Thomas Hope, and directed against the laird of Luss and his German servant, but not against Lady Katherine. Owing to the circumstances narrated in the indictment, the law could not regard her as a criminal; and if the superstitions, of which so curious an illustration is afforded by that document, were as sincerely credited as they were then received in society, even the high circles in which poor Lady Katherine moved, must have bewailed her as an interesting and innocent victim.

The prosecution is directed against 'John Colquhoun of Luss, and Thomas Carlippis, a German, his servant;' and is laid upon two statutes: First, upon the Act of Queen Mary 1563, which provides that no manner of person, of whatsoever estate, degree, or condition, shall presume to take upon them to use any manner of witchcraft, sorcery, or necromancy, or to give themselves out as possessing any such craft or knowledge, thereby to abuse the people; neither that any person seek any help, response, or consultation, at any such users or abusers of witchcraft, sorcery, or necromancy; and this under the pain of death, against all the parties concerned: Secondly, upon the Act of King

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James, 1567, against cohabiting within the forbidden degrees, as contained in the 18th Chapter of Leviticus; also inferring a capital punishment. The libel then proceeds to narrate, that:

'The said John Colquhoun of Luss, albeit he was lawfully coupled and conjoined in marriage with Lady Lilias Graham, eldest lawful daughter to our umquhile right trusty cousin, John Earl of Montrose, with whom he has procreated in the said marriage a great number of children,—as also, that the said Lady Lilias, shortly after the decease of the said John Earl of Montrose, her father, having, with consent of the said John Colquhoun of Luss, her husband, taken and received within her house and company, Lady Katherine Graham, her lawful sister germane, who remained in their company and society by the space of [blank] years,—the said John Colquhoun of Luss, altogether void of the fear of the Almighty and Omnipotent God, unmindful of his divine and sacred law, his own solemn oath, and matrimonial promise, and of his bounden duty to his said honourable and chaste lady, and without respect to her noble blood and descent, resolving, in his diabolical and damnable resolution, [to seduce and dishonor][1] the said Lady Katherine Graham, her sister, he, in his crafty and politic manner, first insinuated himself, by subtle and enticing speeches, into the said Lady Katherine's favor, for bereaving her of her chastity, and not being able, by that his craft and subtlety to prevail, and ensnare her, he thereupon addressed himself to certain witches and sorcerers, consulted and dealt with them for charms and incantations; and, namely, with the said Thomas Carlippis whom he kept and used as his ordinary servant; and procured from him, being a necromancer, certain philtra or poisons of love, or poisonable and enchanted tokens of love; specially, *a jewell of gold, set with divers pretious diamonds or rubies*, which was poisoned and *intoxicat* by the said necromancer; and had the secrete and devilish force, of alluring and forcing the person receiver theirof, to expose her body fame and credit to the unlawful will and pleasure of the giver and propyner thereof: Likeas, the said John Colquhoun of Luss, for accomplishing of his former devilish resolution, in the years 1629, 1630, and 1631, or some time in one or other of those years, propyned, gave, and delivered to the said Lady Katherine, his sister-in-law, the foresaid jewel of gold, set with the said rubies and diamonds, devilishly *intoxicat* and enchanted, as said is: After her receiving whereof, she was so bewitched and transported, that she had no

[1] The words within brackets are substituted for other expressions used in the libel.

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power of herself to refuse the said John Colquhoun of Luss: Where through and from that time forth, of her receipt of the said enchanted and *intoxicat* jewel, [he excercised unlimited control over the Lady Katherine Graham]. Likeas, the said John Colquhoun of Luss, not being content therewith, he, accompanied with the said Thomas Carlippis his conducet servant, and a necromancer as said is, in secrete manner abduced, carried, and took away the said Lady Katherine furth of his own house of Roisdo, in the month of September, in the year of God 1631; and therefrom carried and transported her to the city of London, within our Kingdom of England, where he has remained and kept company with her continually sensyne, in the said horrible crime of incest; contravening thereby not only our said Act of Parliament made against the committers of the said crime, but also he, with the said Thomas Carlippis, necromancer, his devilish servant, by practising of the said sorcery and witchcraft, of bewitching, and *intoxicating*, of the said jewel, and by propyning and delivering the same to the said Lady Katherine, to the pernitious effect foresaid, and consulting with witches and sorcerers for that wicked intent, has contravened the tenor of our said Act of Parliament made in the contrary, and has incurred the deserved punishment of death, mentioned therein, which ought and should be inflicted upon them with all rigor, to the terror and example of others.'

These criminal letters having been duly executed, by a messenger of the name of *James Graham*, by open proclamation at the market-cross of Edinburgh, and pier and shore of Leith, and the parties, as may be supposed, failing to appear, 'Then,' says the messenger, 'I duly, lawfully, and orderly, denounced the said Sir John Colquhoun of Luss, Knight,[1] and Thomas Carlippis, his said servant, his Majesty's rebels, and put them to his Highness's horn, with three several blasts of a horn, as use is, and ordained all their moveable goods and gear to be inbrought to his Majesty's use for their contempt and disobedience.' Thereafter, on the 11th

[1] Throughout the libel, the chief culprit is styled 'John Colquhoun of Luss;' but the Messenger styles him 'Sir John Colquhoun of Luss, Knight.' It is remarkable, however, that the title of *Baronet* is not added, although Sir John was created a Baronet of Nova Scotia in the month of August 1625.

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of January 1633, the parties having also failed to appear at the bar of the Court of Justiciary, sentence of fugitation was pronounced against them.

No more was ever heard of the *dramatis personæ* in this deplorable scene. The contemporary silence on the subject is remarkable. None of the culprits are any where alluded to by Sir James Balfour, who records the marriage, death, and burial-place of Lady Dorothea. The more scandalous and malicious chronicler, Scotstarvet, who fastens a toad upon the infancy of Montrose, and witchcraft upon his mother, breathes not the name of Lady Katherine. Yet the story was publicly recorded, and is still to be found in a most disreputable-looking, and now scarcely legible MS. volume, being one of the old books of Adjournal, which compose the library of the High Court of Justiciary. That volume has not even been printed by Pitcairn.[1] And there the sad history ends. Heraldic and family historians have aided the mystery by welding two lairds of Luss into one. While they record the happy commencement, of the necromantic laird's domestic life, they hide the unnatural deformity of its latter end, by confounding it with the honourable misfortunes of his loyal son.

'And *Luss—Carlippis—Katherine*, are gone,
Alike without their monumental stone.'

[1] Mr Pitcairn's valuable collection is not brought down to so late a date.

[2] Brabantio denounces the Moor as having practised necromancy upon Desdemona:—

'Judge me the world, if 'tis not gross in sense
That thou hast practised on her with foul charms,
Abused her delicate youth with drugs, or *minerals*.'

and the Black,—whose best defence, by the way, if his admirers be right as to his complexion, would have been that he was not black,—replies, with dignity and eloquence of which we can scarcely conceive 'thick lips' capable—disclaiming all use of sorcery, with something like a sneer at the imputation. Some commentators have ridi-

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There can be little doubt, although the fact has never hitherto been observed, that the immediate result, to the young Earl himself, of this unfortunate incident in his family, was very influential in regard to his

culed the idea of a dignified and learned tribunal being thus figured to have gravely entertained an accusation so preposterous and weak. Others, with more justice, have defended the consistency of the great poet of Nature, by referring to the superstitions of the kind prevalent in the reign of King Richard III., and to the acts and deeds of the witch-hunting King James. But the play of Othello was first acted more than thirty years before this sad reality occurred in Scotland. It is, then, rather to be wondered at that Desdemona's distracted parent should be made to put the question doubtingly,—

'Are there not charms
By which the property of youth and maidhood
May be abused? Have you not *read*, Roderigo,
Of some such thing?'

That a great crime had been committed by the laird of Luss, in which his German servant was an accomplice, is not to be doubted. The libel mentions *philtra* and *poisons of love*, as well as the jewel, although this last was chiefly relied upon by the prosecutor. The unfortunate young lady herself, had been secretly carried off to London, as the libel states, by Luss and his servant, in the month of September 1631. Judging from the date of the King's letter, the eclat had not occurred until after the flight of the parties, although the crime is libelled as having commenced in 1629. How the information contained in the criminal letters had been obtained, and in what manner the incantations, and the intoxication of the jewel would have been proved, does not appear. Perhaps the poor victim had been brought under some dreadful delusion, and had herself afforded a clue to the infamous proceedings, before she was carried off. It is sad to speculate upon her ultimate fate, of which nothing is known. By the mother's side she had come of a necromantic race, and could scarcely fail to believe in the powers of darkness upon earth. Her maternal uncle, the notorious Earl of Gowrie, and her great-grandfather, were both reputed necromancers. With regard to the latter, Patrick Lord Ruthven, there is a curious attestation of his powers, by Queen Mary herself, upon whose Statute the laird of Luss was tried for practising necromancy upon Ruthven's great-granddaughter. In John Knox's History of the Reformation in Scotland, it is narrated, that upon some occasion, when out hawking near Kinross, her Majesty in conversation, 'began diverse other purposes, such as the offering of a ring to her by Lord Ruthven, "whom," said she, "I cannot love, *for I know him to use enchantment*, and yet is he made one of my Privy Council."' (New Edit. of Knox's History, preparing for the press, by Mr David Laing, p. 373.)

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future fortunes. His first inauspicious introduction to Charles I., when the Marquis of Hamilton prejudiced his sovereign against him, was early in the year 1636, Montrose having then just returned from his travels. How different would their first meeting and its consequences have been, had that occurred in 1633, when Charles at length accomplished his long intended coronation in Scotland. It is not too much to say, that the circumstance might have altogether changed the destinies of Montrose. Now it seems beyond all reasonable doubt that Montrose, whose pride was great, and whose feelings for the honour of his family were extremely sensitive, had upon this occasion avoided a presentation to his sovereign, and seized the opportunity of travelling for a few years, leaving his wife and his young boys at home, with Lord Carnegy. From some of the papers in this Part, it will be seen that he was in Edinburgh in the months of October and November 1632, at the very time when the criminal process against his brother-in-law was raised, and probably had been in communication with Sir Thomas Hope on the subject. That process, as we have seen, terminated in the month of January 1633. A few months afterwards, Charles I. was crowned in Edinburgh, and the Lord Lyon, Sir James Balfour, who has left a minute and very graphic official account of the splendid pageant, marks the name of Montrose with the word 'absent' after it. That he was about to travel, was no reason for omitting such an opportunity of being made known to the king. Sir Phillip Warwick says of Charles I., 'that whenever any young nobleman, or gentleman of quality, who was going to travel came to kiss his hand, he cheerfully would give them some good counsel, leading to moral virtue, especially to good conversation, telling them, that if he heard they kept good company abroad, he should reasonably expect they would return qualified to serve him and their country well

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at home.' And such unquestionably would have been the reception which the gallant and graceful young Scottish nobleman would have met with from his sovereign in Scotland. His father-in-law, Lord Carnegy, was in such favour, that he was created upon this occasion Earl of Southesk. Lord Napier, too, was an old friend of the king's, who selected him as one of the six Barons of Parliament, who were to support the six earl's eldest sons having the honour to bear the canopy above his head to the church, and 'in time of his sacring, the day of his coronation.' Then, Montrose himself was the very figure for such pageantry. Even at St Andrew's College, which he had but recently quitted, he was the beau-ideal of a young cavalier. His recreations were hunting and hawking, horse-racing, archery and golf, poetry and chess, heroic and romantic histories and classics; nor did he lack those attributes of the knightly character, the occasional wassail, and the frequent largesse. His sword was not yet unsheathed, but already was he growing to be the observed of all observers. Of this a very curious and interesting corroborative evidence is to be derived from the lays of a humble contemporary poet, who made some noise in his day, but whose poetical effusions are so very rarely to be met with that the passage we are about to quote has never until now been referred to in any biography or notice of Montrose, and only recently came under the editor's own observation. The poem is entitled 'Scotland's welcome to her native son and Soveraigne Lord King Charles, by William Lithgow, the Bonaventure of Europe, Asia, and Africa.' The Genius of Scotland is supposed to address Charles I. upon the occasion of his visit to Scotland in 1633, and to call his attention to the state of the country, the valour of the nation, vices to be discouraged, aud grievances to be redressed; affording, withal, a very curious picture of the condition

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and habits of the capital of Scotland in 1633. The poem, although anticipating the whole scene, must have been composed before the ceremonials of the coronation; because, when enumerating the nobility whom Scotland earnestly recommends to the love and patronage of their Sovereign, Viscount Duplin, Lord Carnegy, and others who then obtained a higher rank in the peerage, are named by their inferior titles.

> As for Lord Barons, Lyndesay and Cathcart,
> Boyd, Rosse, and Yester, Forbes pious heart,
> Lord Viscount Duplin, Chancellor of my State,
> With Marcheston, as *good*, as now made *great*.[1]

But the nobleman whom the Genius of Scotland recommends to the Sovereign with the greatest ardour and the highest eulogy, is the very

[1] This refers to Lord Napier's elevation to the peerage, in 1627. The ceremony of creating the Lord Chancellor Duplin Earl of Kinnoul took place on the 17th June 1633. It is curious to find him and Lord Napier thus brought into happy conjunction in the poet's couplet, considering the scenes that had formerly passed between them. See *supra*, pp. 40, 55. Lord Napier's characteristic of the old Chancellor, that at the Council board 'his manner was to interrupt all men when he was disposed to speak, and the *King too*' (*supra*, p. 64), is precisely confirmed by Sir James Balfour. It seems that even the earldom had not taught him respectful demeanour to his Sovereign. 'I remember,' says the Lyon, 'that King Charles sent me to the Chancellor, being then Earl of Kinnoul, the day of his coronation, in the morning, in August 1633, to shew him that it was his will and pleasure, but *only for that day*, that he would ceed and give place to the Archbishop; but he returned by me to his Majesty a very bruske answer, which was, that since his Majesty had been pleased to continue him in that office of Chancellor, which his worthy father, of happy memory, had bestowed upon him, he was ready in all humility to lay it down at his Majesty's feet; but since it was his royal will he should enjoy it with the known privileges of the same, never a stoned priest in Scotland should set a foot before him so long as his blood was hot. Quen I had related his answer to the King, he said, "Well, Lyon, let's go to business; I will not meddle further with that old canckered gouty man, at whose hands there is nothing to be gained but sour words."' (Annals, 2, 141.)

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one whom his Majesty was not to see at all at that time—the young Montrose. The poet's strain rises, too, as if he found the subject inspiring; and it is not a little interesting to observe, that had there been displayed to him, by second-sight, the future hero's great career in arms, he need not have added a line to his eulogy.

> As for that hopefull youth, the young Lord Grahame,
> James Earl of Montarose, whose warlyke name
> Sprung from redoubted worth, made manhood try
> Their matchless deeds in unmatched chivalry,—
> *I do bequeath him to thy gracious love;*
> Whose noble stocke did ever faithful prove
> To thine old aged auncestors; and my Bounds
> Were often freed from thraldome, by their wounds;
> Leaving their roote, the stamp of fidele truth,
> To be inherent in *this noble youth:*
> Whose Hearts, whose Hands, whose Swords, whose Deeds, whose Fame,
> Made Mars for valour canonize THE GRAHAME.[1]

It can scarcely be supposed that the minstrel, and one whom this very poem proves to have taken a deep interest in the *diablerie* of Scotland, was not aware of the recent proclamations at the Market-Cross of Edinburgh, and Pier and Shore of Leith, which, to the public mind of the day, probably conveyed the impression that poor Lady Katherine Graham had been carried off by the Devil *in propriâ personâ*. That the young and proud head of her House could, under these circumstances, take part in the display and rejoicings of the coronation, was

[1] William Lithgow, born in Lanark, 1583, was a celebrated traveller, and one who shared the fate of more distinguished travellers, in not being altogether credited. His marvellous adventures were published in 1614. On his return he visited England, and there presented to King James, Queen Anne, and Prince Charles, 'certain rare gifts, and notable relics, brought from Jordan and Jerusalem.'

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not to be expected; but it would seem that he was too distinguished as a rising noble to be dispensed with from the pageant of Bonaventure's muse.

Montrose was early in the saddle. How early, is now only known for the first time; and to the humble records of the anvil is due all the merit of affording authentic indications of his infant chivalry.

COMPTS OF MY LORDIS HORSE SCHOONE FURNISHIT, AND PAYIT BE HARIE BLACKWOOD, IN ANN. 1620, 21, AND 22 YEIRIS.

Item, on the last of merche 1620, for fyve gang of schoone to my Lord's horse in Glasgow, schod be James Leischman,	v lb.
Item on the 20 of May 1620 for sex remuffis, . .	xxiiij sh.
Item on the 29 of September 1620 for fyve gang of schoone to my Lord's horse before his Lordship raid to Rosedo,	v lb.
Item for twa gang of schoone to *Lord James' twa naigs*,[1] .	xxiiij sh.

At the date of this item in the blacksmith's account, Montrose had either scarcely, or had only just, completed his eighth year;[2] yet he was

[1] The account is continued in the same style throughout the years mentioned, and the shoeing of Lord James's horses frequently occurs. The occasion of the ride to *Rosedo* must have been the recent marriage of Lady Lilias to Sir John Colquhoun, which had taken place on the 6th of July immediately preceding. From that place, just nine years afterwards, Lady Katherine was carried off, and disappeared for ever.

[2] No official record of Montrose's birth has been recovered, but his age can be otherwise accurately ascertained. Wishart records, that on the 3d of September 1646, when the Marquis escaped to Norway, he was in the thirty-fourth year of his age; hence, on the 3d of September 1620, he was only in his eighth year. This agrees with the fact that Montrose, immediately after his father's death, which occurred on the 14th of November 1626, was of the age to choose curators—that is to say, he had completed his fourteenth year. On the 22d of October 1632, Montrose is in Edinburgh transacting business with his curators; which proves that he was not then of age. He must have been born towards the close of the year 1612.

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already in possession of a personal stud; and that from thenceforth he was continually in the saddle, is sufficiently proved by a succession of these accounts, indicating that he rode often, and rode hard, as undoubtedly he did for all the rest of his life. Another characteristic habit of his youthful days is to be derived from the same humble source. In one of the blacksmith's accounts for the year 1624, when Montrose was just twelve years of age, occurs this charge:—'Item, for dressing of Lord James's fensing swords, 6sh. 8d;' and in subsequent years this same charge appears in various accounts for 'iron wark' furnished to Montrose's father.[1] Hary Blackwood, who seems to have been Master of the Horse, had enough on his hands in this department; and 'Thomas Smyth,' the blacksmith at Aberuthven, was kept in constant employment by the Earl of Montrose and his young son in the matter of shoeing horses. There was also a white horse of 'my Lord James's' continually at the smithy; and 'the horse that Mr James Graham rode on,' this personage being the 'domestic servitour' of the young lord. The Earl himself allowed none of his own stud to suffer from want of exercise. Thomas's anvil at Aberuthven was familiar with the brown horse, the sorrel nag, the gray mare, the gray courser, the gray hackney, the trunk horse, the 'pockmanty naig,' and some illustrious animal always designed by the name of 'Gray Oliphant.'

Montrose's parent had wisely judged that a life of riding and fencing at home was not sufficient training for a young nobleman of so forward a spirit as this sole hope of the Graham; and accordingly we find, from

[1] It is interesting to figure the Earl of Montrose, who had 'focht ane combat at the Salt Trone,' practising the art of self-defence with his young son, who was destined to become so great a warrior.

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the Southesk Papers, that he had placed him, when twelve years of age, at Glasgow, with an establishment consisting of a private tutor, two pages, and a valet. The intention obviously was to prepare him for entering a university, and probably that of Glasgow was at first contemplated. Among the papers in this Part will be found a receipt granted by Dame Agnes Boyd, the lady of Sir George Elphinstone of Blythswood, acting during the absence of her husband, for the rent 'of the parte of our greate ludging, with the pertinents, situat at the wyne heade in Glasgow,'—possessed for the space of a year by the young Lord Graham and his servants,—'viz, betwix the terme of Martimes 1624, and the terme of Martimes to come, in this instant year of God, 1625.' The name of the tutor, or 'pedagog' as he is termed in the household accounts, was Master William Forret; the title 'Master,' which he always superadds to his signature, indicating that he had taken a degree. The two pages were called William and Mungo Graham, and the valet rejoiced in the name which his young master was destined to render so conspicuous, *James Graham*. Moreover, he was allowed a moderate stud. The blacksmith's accounts, for the years during which Lord Graham was thus separately established, exhibit frequent charges for 'ane gang of shoone to the naige Mr James Graham ryds on;' and also, 'for ane gang of shoone to Lord James' quhyt hors.' In this manner he lived, pursuing, no doubt, his studies under the guidance of Mr William Forrett, from the term of November 1624, when he had about completed his twelfth year, to the time of his father's death, in November 1626, when he had about completed his fourteenth year.

At the Earl's death commenced a new and important era in the young lord's career. 'The Dayet of the Burriall,' already quoted, informs us that he had gone to Kincardine, where his father died, just

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two days before that event, namely, on the 12th of November 1626, and was thus in time to attend the Earl's deathbed. Among those assembled to meet him in his ancestral halls upon this melancholy occasion were, John, second Earl of Wigton, Montrose's cousin-german, his mother being Lady Lilias Graham, the only sister of the Earl just departed; Sir William Graham of Braco, Knight, Montrose's paternal uncle; Sir Archibald Napier of Merchiston, Knight (who was elevated to the peerage a few months afterwards), Montrose's brother-in-law; Sir John Colquhoun of Luss, Knight and Baronet, also Montrose's brother-in-law; David Graham of Fintry; Sir Robert Graham of Morphie, Knight; Sir William Graham of Claverhouse, Knight (great-grandfather of Dundee); John Graham of Orchill; Patrick Graham of Inchbrakie; and John Graham of Balgown;—all these Grahams being distinguished branches of the House of Montrose. These were the noblemen and gentlemen whom the young Earl immediately assumed as his curators; and that they were all assembled at Kincardine, and were the friends to whom 'The Dyat of the Burrial' refers, is proved by their signatures attached to precepts relating to the minor's affairs, of that date.

On Monday, the 8th of January 1627, the young Earl of Montrose 'raid from Kincardine to Kilbryde.' He had from thence immediately proceeded to be installed at the University of St Andrews; for, among the *Nomina Incorporatorum*, of date 26th January 1627, we find *Jacobus Gramus, Comes Monterouse*. The establishment at Glasgow was broken up, and the superintendence of Montrose's accounts, and personal expenditure, and probably of his studies, was transferred from Master William Forrett to Master John Lambye. Unfortunately, the object of these domestic accounts was not such as to throw light upon

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the precise nature of Montrose's studies at Glasgow, or the progress he had made. But some interesting particulars may be gathered from a note of certain books belonging to the young nobleman which his tutor had borrowed from him before the removal to St Andrews took place. These were afterwards delivered to one of Montrose's curators, Patrick Graham of Inchbrakie, on the 9th of August 1627, of which same date, says Inchbrakie, 'thir bukis were put in myLord's chamber be me, and therefter put in my Lord his Lordship's cabinett be me, his Lordship then being present.' There is something even in this scrap which indicates that the proprietor of these books was not heedless of their safety; and the list, which is also preserved, is somewhat characteristic:—'Two volumes of Sabellicus's Universal History, in latin; Camerarius, his Living Library; A treatise of the Order of Knighthood; The life and death of Queen Mary; Godfrey de Bulloigne his history; The history of Xenophon, in latin; The works of Seneca with Lipsius' Commentary.' One other book had been anxiously inquired for, and that was 'speciallie, Sir Vailter Raillis Hystorie;' with regard to which Master William Forrett replies:—'As for the Hystorye wrettin be Sir Walter Ralye, my Lord himself conveyed it to St Andros, at his Lordship's first thither going.' That time-honoured volume, the wonder of its age, and written under circumstances of distress and oppression that might well have paralysed the stoutest pen, was, it seems, the favourite study of our young hero when in his fourteenth year, and the book which he had selected (no light burden) to take with himself when he first joined the University. The arrival there of the distinguished youth, with this goodly and cherished folio, must have created no small sensation. The trait is rendered more characteristic by the fact, that various other

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articles, which it might have been supposed he would less willingly have lost sight of for a moment, were all left in Master William Forrett's hands, to be sent after his noble pupil. We have a notice of what probably was his first sword, of any value; and it is interesting to learn that it was presented to him by his friend and counsellor, Lord Napier, who lived to write his last defence for having drawn the sword against the Covenant. 'I grant me,' says Master William, 'to have in keiping ane guildet sworde, whilk my Lord gat from my Lord Naper; with ane silk and silver skarfe whilk my Lord gat from his umquhill noble father; with ane belt and hingeris; and ane crossbow set with mother of pearle: As for the brasen hagbut, it was sent to his Lordship, to S^{t} Andros, with John Margat, which his Lordship receaved.'

Thus we now know the very names of some of the books that were placed in the cabinet of Montrose's college room, and the one upon which his youthful mind was most intent, when he made his first appearance there. We have always considered the coincidence at least curious, that Sir Walter Raleigh and Montrose should not only each have composed eight lines of poetry in reference to their approaching execution, but that the concluding couplet of their 'neck verse at Hairibee,' respectively, should be so similar in the sentiment and structure. There was nothing, however, to justify the supposition that this was not purely accidental. But now that we know some of Montrose's happiest hours of dawning ambition to have been spent in conning the pages of that illustrious soldier and poet, and that he must have rendered himself familiar with the writings and genius of Raleigh, the imagination is apt to dwell on the idea, that even in the latest hour of his own agony, when beset and distracted by gloomy, sordid, and malignant preachers,

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his mind had found relief in reverting to the happy, hopeful days of his early studies, and the glorious prototype of his youthful genius.

cœlumque
Aspicit, et dulces moriens reminiscitur Argos.[1]

Among the Southesk Papers there is a manuscript bearing this simple title, 'Maister Johne Lambyes Compts,' being a detailed account of Montrose's personal expenditure throughout the years 1628 and 1629, until the progress of his studies at St Andrews was interrupted by his early marriage. This gentleman seems to have superseded 'Maister William Forrett,' and there is reason to believe that he was of the old Forfarshire family, L'Amy of Dunkenny. Although Montrose was

[1] 'Only he sighed two several times, and rolled his eyes along all the corners of the House, and, at the reading of the sentence, he lifted up his face, without any word speaking.'—(Balfour, 4,1 6.) So writes an eye-witness, and an enemy, when recording, with involuntary though unwilling admiration, the 'great courage and modesty, unmoved and undaunted,' with which Montrose met his murderers As he turned from them to his Maker, he had remembered the dying melody of Raleigh:—

Even such is Time; who takes in trust
Our youth, our joys, and all we have,
And pays us but with earth and dust;
Who, in the dark and silent grave,
When we have wandered all our ways,
Shuts up the story of our days:
But from that earth, that grave and dust,
The Lord shall raise me up, I trust.

These lines express the resignation of a spirit long wearied, and not unwilling to escape from its wrongs and bodily infirmities.

In the height of his hopes, and the vigour of his manhood, from the presence of the crowned heads of Europe, from the affection and instant commands of his own Sovereign, Montrose was hurried to that brutal execution, while the demons of revenge and fanaticism howled in his ear. But his greatest victory was in death:—

Let them bestow on every airth a limb,
Then open all my veins, that I may swim
To thee, my Maker, in that crimson lake;
Then place my par-boil'd head upon a stake,
Scatter my ashes, strew them in the air:
Lord! since thou knowest where all these atoms are,
I'm hopeful thou'lt recover once my dust,
And confident thou'lt raise me with the just.

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placed at the University of St Andrews in the first month of the year 1627, and did not finally quit it until the end of the year 1629, he was by no means unremittingly at his studies there during those years. To the natural quickness of his parts, rather than to any severe application, must be attributed the literary accomplishments which, undoubtedly, he acquired in a very short period of tuition. From one of the factor's accounts, it appears that he had come to Edinburgh during the months of March and April 1627, when he is served heir to his father, and transacts various other matters of business. At that time is paid '20 lb. 4 sh. for books to my Lord; Claverhouse being present;' and a farther sum of '3 lb. 10 sh. for a *greek grammar* to my Lord.' In the month of April there is, 'at my Lord's direction, given to the nurrice and servants in his Lordship's sister's, 6 lb. 13 sh. 4 d.; item, to the coachman, 3 lb. 6 sh. 8 d.;' meaning the domestics of his sister Lady Margaret, Lord Napier being then at Court. Montrose's return to St Andrews at this time appears by the sums noted for freight at Queensferry, and the water of Cramond, his supper and breakfast in Burntisland, and the charges for an extra horse with which Lady Margaret had accommodated him, 'quhen my Lord went bak to Sanct androis.' In the following month of July again he has holidays:—'Item, delyverit be Jhon Grahame to my Lordis Regent in Sanctandrois, now when my Lord left the Colleig upon the 13th day of July (1627), 33 lb. 6 sh. 8 d.' On the 5th of August, in that year, he signs a precept to his factor, along with his curators, Napier and Claverhouse, at Edinburgh. Before the 2d of September he is at Rossdhu; for, of that date, there is a letter, which will be found among the following papers, written from that place by his body-servant, telling a piteous tale of his young master's deficiency

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in the essentials of boots and shoes. This letter, too, affords a trait of the youthful cavalier:—'My Lord,' writes James Graham to the factor of Mugdok, 'hes neither buits nor schone that he can put on for the present; as also I will desyre you, as I wreit to you befoir, to send him ane pair of *fyne weill-favourit ryding gloves*, and twa pair of *schevereins* to my Lord.' He had not remained long at this time, however, within the dangerous circle of Luss and Carlippis. On the 6th of October he is at Cumbernauld (the scene of his future bond against the Covenant) with the Earl of Wigton. On the 28th he is travelling with a large party from Braco; and on the 27th of December following he is again in Edinburgh, at Lord Napier's, where he signs a precept, along with his sister, Lady Margaret, who seems to have acted as his curator in the absence of her husband.

We have seen that in the month of April 1628, Montrose was at Lord Napier's, attending the nuptials of his sister, Lady Dorothea. From this time all his movements and habits can be traced, in Mr John Lambye's accounts, until the end of the year 1629, immediately after his own marriage, during which period he was in his sixteenth and seventeenth years. There is a precept signed by Lady Dorothea at Carnock, the seat of Sir George Bruce (ancestor of the Earls of Kincardine), not many days after her marriage in Edinburgh. It appears that her brother, too, had taken horse for Carnock at the same time, where probably were some festivities in honour of the occasion. On the last day of April 1628, there is 'depursed in Carnock, for two horses hyre from Edinburgh to Carnock, 4 lb. 16 sh.;' and then these items occur:—

More given to the *drummer and pyper of Stirling*, quho come to Carnok at my Lord's being there, . . 46 sh.

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Item depursed on the second of May, at my Lord's coming from Carnock, to the servants there, . . 11 lb. 12 sh.
More to the Lady Carnock's *nurrice*, . . 3 lb.
More to ane *pyper* at my Lord's departing, . . 12 sh.

From thence the young and volatile lord rides to Stirling, where having baited his horses, and sent back two of them which he had borrowed from the laird of Duncrub at Carnock, he proceeds to spend a day with his curator, John Graham, at Orchill. On the 5th of May he is 'depursing,' as usual, among the domestic servants on quitting Orchill; and then, on 'the 7th of May given to the servants, and *nurrice* in Machanie, 3 lb. 4 sh.; more to *ane pyper* there, 6 sh.' That same night he is in St Andrews; as, of that date, there is charged 'for my Lord's supper at nicht in St Andrews, 3 lb. 2 sh.'

Right glad must 'Maister John Lambye' have been to find himself established in academic quiet again. It could be no sinecure following young Rapid in all his equestrian peregrinations; and if Lambye loved not the music of the pipes, he had much to endure. No sooner does the young nobleman arrive at College than he is hailed by the muse. The following quaint item clearly refers to a complimentary poem which had been addressed to Montrose:—'Item on the twelf of May (1628) given, at my Lord's direction, ane *Hungarian poet* quho made some verses to my Lord, 58 sh.' Unfortunately these verses are not now to be found. It would be not a little interesting to know how and in what terms an Hungarian poet, who most probably was also an hungry poet, lauded the future hero when in his sixteenth year. Was the strain prophetic of his fame, or in praise of archery or golf? That last recreation Montrose immediately resumes:—'Item 19th May for two golf balls for my Lord, 10 sh.' Before the 24th of that month,

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however, he is confined to a sick chamber, and furnished with various delicacies of an invalid, chickens, jelly, sack and sugar, and possets, the provider being 'James Pett's dochter,'—that is to say, the daughter of the man who made his clubs and bows.

On the 28th, Mr John Lambye takes alarm, and goes himself to Dundee for 'Doctor Maal,' the result of whose visit he thus records:—'Given to Dr Maal 26 lb. 13 sh. 4d.;' and immediately there follows, as if it had been a prescription, 'item, penult of May, to the post for bringing ane *cheass brod* from Edinburgh, 6 sh.' The Doctor, however, had continued in close attendance, for there is 'on the third of June for Doctor Maal's dyets first and second times, four meals, 3 lb. 12 sh.;' and another fee to him of 13 lb. 6 sh. 8d. Then my Lord's hair, of which he was ever proud, is all taken off by a barber, and Doctor Maal calls to his aid Doctor Arnot, a physician probably of higher mark, the fee to him being 80 lb., besides 'more for the Doctor's dyet in four days, and Doctor Maal with him one day, 6 lb. 16 sh.' Doctor Arnot appears to have prescribed cards, as Doctor Maal prescribed chess; for there follows, 'more for ane suit of cards, 3 sh.' With the aid of these two Doctors, the barber, 'drapped eggs for supper,' muirfowl sent to him from Orchill (in the month of June, by the way), and 'truits and milk from Sir Andrew Balfoure,' together with 'milkbreds dayly to my Lord's breakfasts,' whey, possets, and aleberry, all furnished by 'James Pett's dochter,' Montrose is restored to his fate. The curtain is removed from the invalid's window, there being so much given to the wright for putting it up and taking it down. He is allowed mutton collops to his breakfast. On the 3d of July he '*contributed* 30 sh. to ane chirurgion for healing ane boy's head,' which, perhaps, in a testy moment of convalescence, he had contributed to break; and then fol-

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lows what proclaims his perfect restoration :—'Item on the 4th of July to the *producer of the silver arrow at the butts,* 12 sh.; item, on the fyft, the laird of Fentrie's man quho brocht my Lord ane halk, 24 sh.'

To those who take interest in the ancient sports of St Andrews, its archery and its golfing, the fact, hitherto unknown, will be acceptable, that the most enthusiastic promoter of those still-approved exercises was the great Montrose. In the Rev. C. J. Lyon's important and elaborate History of St Andrews[1] it is stated, that in the old College there are preserved two silver arrows, which used to be shot for annually in St Andrews, and to which have been attached various medals, of different dates, by winners of the same. The figure of an archer, in the act of drawing his bow, is engraved on one side of these medals, affording a good idea of the archer's dress of the period. The oldest date upon any medal on the first arrow is 1618, nearly ten years before Montrose joined the University; and the latest date, within the time of Montrose, is 1628. But of this last date, which is one of those years in which Montrose was particularly active in promoting the shooting for the silver arrow, there is but one winner recorded, 'D. Forrester;' and then, says the learned author of the History of St Andrews, 'here follows a long blank, occasioned, no doubt, by the civil troubles.' The next date is so late as 1675. No date of any medal on the second arrow is earlier than the year 1710. It seemed remarkable that no medal of Montrose's had been attached to the oldest arrow, as it will be seen, by the following extracts from his accounts, that he was not only devoted to archery, but had been occasionally the successful competitor. It now appears, however, that there is a third silver arrow preserved in the College,

[1] In two octavo volumes, published by Tait, 1843. See vol. ii. p. 202.

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about a span long, with three silver medals, one attached to each of the three silver feathers of the arrow.[1] Upon the earliest of these are engraved the name and date, 'James Earle of Montroes 1628,' beneath the full arms of the Earldom; and on the reverse side there is the usual archer figure. The second medal is a shield of arms, with the initials J. M. L., and the date 1630. Montrose, it seems, had held the arrow from 1628 to 1630, by which time he was married, and removed from St Andrews. The third medal contains the armorial shield of 'Thomas Gourlay,' with the date 1642; after which, no doubt, the state of the country interrupted the sport. This precious arrow of the three medals, first gained by the great Montrose, must have been retained by the family of the third holder until a recent date, as upon the reverse is engraved 'M. Gourlay *dono dedit*, 1823.'

We have been induced to collect together, in this preface, from Mr Lambye's accounts, the various items relating to Montrose's archery, as they acquire an additional interest when compared with a passage in a letter from the Queen of Bohemia, the sister of Charles I., which will be found in its place among these Memorials. In the month of August 1649, when Montrose held a commission as Plenipotentiary

[1] The reverend author of the History of St Andrews was kind enough, at the editor's request, to make further inquiry relative to the silver arrow, when, for the first time, there was disclosed to him the Montrose arrow, locked up in a small box. In Mr Lyon's work, Montrose is not recorded as an *alumnus* of St Andrews, an omission which, it is to be hoped, a second edition of his valuable work will rectify. It would seem, too, that Argyle, the great rival of Montrose, was also at the University of St Andrews in 1622; for of that date his medal, as having gained the silver arrow, is attached to one of those mentioned in Mr Lyon's work. This is the more valuable to the fame of Argyle, as it happens to be the only passage of arms, throughout a long military career, in which he was not worse than discomfited.

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from Charles II. to the foreign States, her Majesty, who had conceived a great affection for the hero, writes to him from Rhene in these terms: —'We have nothing to do but to walk and shoot. I am grown a *good archer*, to shoot with my Lord Kinnoul. If your office will suffer it, I hope you will come and *help us to shoot*.'[1] From this it would seem that Montrose had retained throughout his life the reputation of a good archer, which the following items prove that he must have acquired at St Andrews:—

Item on the 4 of July (1628) to the producer of the silver arrow at the Butts, . . .	12 sh.
On the 7th of July to William Mercer, who had given to my Lord, shooting the second time at the silver arrow, at the Butts, ...	12 sh.
Item the 9th of July, at breakfast, after the archery, with my Lord Sutherland[2] and Randirstane, .	12 sh.
Item 16th of July, my Lord being to shoot at the silver arrow, before he went to the fields at dinner, .	6 sh.
More to the producer of the arrow, . . .	18 sh.
More to ane boy for carrying his quiver, . .	2 sh.
More for my Lord's loss in a party, after the arrow was won, ...	16 sh.
More the drummer and piferer of the town, .	40 sh.

[1] This, and several other amusing and affectionate letters from the high-spirited but unfortunate Queen of Bohemia, will be found in their place among these Memorials. In the month of May following the date of that quoted above, it was the fate of these two very noblemen to be struggling together for their lives, without any other companion, amidst the wilds of Assynt. Kinnoull dropped from fatigue and hunger, and is generally supposed to have perished in the wilderness. Montrose, endued with a frame of uncommon hardihood, eat his own glove, and struggled through to the scaffold.

[2] This was John thirteenth Earl of Sutherland. He was three years older than Montrose, having been born in 1609. But it appears, from the books of St Andrews, that they entered college on the same day.

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More after the supper given by my Lord to the rest of the archers, the wine and confits, . .	6 lb. 3 sh.
Item, 21st, to ane Ammer and ane for bearing my Lord's quiver, ...	3 sh.
Item, 25th, to ane boy for bearing my Lord's quiver, and royall Ammer, ...	3 sh.
Item, August, to James Pett for furnishing my Lord with bows and arrows and clubs that year, .	7 lb. 8 sh.
Item (Nov. 1628) afternoon, for my Lord's loss at the golf, ...	10 sh.
Item to the boy who carried my Lord's clubs to the fields, ...	3 sh.
Item to the poor, and boys who carried my Lord's clubs that week, ...	8 sh.
Item, 24th December, to the poor, and boys who carried my Lord's clubs that week, . .	8 sh.
Item 4 January (1629) to a wright for hinging my Lord's bows in the chamber, . . .	4 sh.
Item 23 February for a key, and mending my Lord's quiver, ...	5 lb.
Item to John Pett (James Pett's son) for to bring arrows from London to my Lord, . . .	11 lb. 12 sh.
Item (March 1629) for balls in the tennis court of Leith, ...	16 sh.
Item for two golf balls, my Lord going to the golf there,	10 sh.
Item the 22 May, for a key to a quiver, . .	5 sh.
Item the 23, to ane Ammer, and a boy carrying my Lord's quiver, ...	12 sh. 8d.
Item my Lord having been at the archerie, for his supper at nicht, ...	36 sh.
Item, 30 May, given to a boy carrying my Lord's quiver and bows that day, . . .	1 sh.
Item the 6 June to an Ammer, and a boy carrying my Lord's quiver, ...	2 sh. 8d.
Item, 2 July, to the drummer of St Andrews proclaiming the silver arrow to be shot for, . .	12 sh.

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Item the 9th day, my Lord being to produce the silver arrow,[1] for ane shoulder of mutton to his breakfast, ...	6 sh. 8 d.
Item at supper that nicht, with the rest of the archers, depursed, besyde that which every archer gave,	5 lb. 8 sh.
Item to the Ammer that day, ...	12 sh.
Item the 10th day, after the winning of the silver arrow, my Lord having dined in the fields, and supped in William Geddes's with the archers, his loss that day, ...	3 lb. 4 sh.
Item paying one partie lossed be the bower Jhone Maine shooting on my Lord's side, . .	6 sh.
Item to the Ammer that day, ...	4 sh.
Item to ane poor man who had been ane Ammer, to whom all the archers did contribute,[2] .	6 sh.
Item given that day to the drummer and piferer for giving advertisement to the archers these two days, ...	48 sh.
Item the 23d, for clothe and strenzie for making *clouts for the prik marks*, ...	16 sh.
Item, 4th August, my Lord's losse at the archerie in Bruchtie links, ...	12 sh.
Item 6th August to sum poor at the gate of Glames,	4 sh.
Item to sum poor that come, my Lord being at the archerie, ...	3 sh.
Item given to the servants at Glames,[3] . .	6 lb. 13 sh. 4 d.

[1] This indicates that Montrose was then the holder of the silver arrow; and the shoulder of mutton was probably the customary breakfast given to the archers on the occasion.

[2] The 'Ammer,' who is always mentioned in conjunction with archery, was probably what is now termed *the marker*.

[3] The well-known Castle of Glamis, in Fife, then appertaining to Montrose's friend, John second Earl of Kinghorn, Lord Lyon and Glamis, ancestor of the Earls of Strathmore. Lady Margaret Erskine, second daughter of James sixth Earl of Buchan, was married to Montrose's relative, Sir James Graham, brother of the Earl of Monteith and Airth. They had a daughter married to Walter Graham of Gartur. Possibly, Lady Margaret, with her nurse and child, had then been at Glamis.—See next item.

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Item to ane nurrice there of my Lord Buchan's dochter,	58 sh.
Item 10th August for ane pair of butt arrows made in Dundee, ...	12 sh.
Item, 11th August, in Bruchtie links, my lord being at the archerie with my Lord Kingorne, the losse being put for payment of the wyne that come from Dundee, my lord bearing part of Reyres laying by head, ...	36 sh.
Item, 14th August, my lord being at the archerie in Montrois, given to the poor in the links and town,	6 sh.

These accounts also prove that Montrose took great delight in riding and hunting. There are various items regarding dogs and horses, falconers and hawks. His horse appears to have been specially cared for on returning from the chase, as if it had been severe work to carry the young lord :—

Item, 18 April 1629, that night, my Lord having been at hunting, for a hen to his supper, . .	6 sh. 8d.
Item a pint of ale to his horse after the hunting, .	1 sh. 8d.
Item 22d, for two horses to Cupar races,[1] . .	35 sh.
Item the 9th of May my Lord going to hunting with my Lord Lyndsay, for breakfast,[2] . .	9 sh.
Item that day, my Lord being invited by Sir Thomas Hope[3] to his house, given to the mason thereof,	5 lb. 16 sh.

[1] There are several items relative to his attending *Cupar races;* which proves the antiquity of the sport there.

[2] This was the Lord Lindsay who became so violent a Covenanter, and whose share of the spoil, in the general usurpation, was the Earldom of Crawford, to the detriment of the true and loyal Earl. It was a conversation with Lord Lyndsay that, among other things, first opened Montrose's eyes to the headlong progress of the movement.

[3] The Lord Advocate, professedly of Charles I., but practically for his enemies. He lived to know the fame of Montrose, but not his reverse. See his diary, printed for the Bannatyne Club, 1843. The ingenious editor of that curious volume has discovered Sir Thomas Hope's ' veneration for

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Item to my Lord's horse after his hunting, a pint of ale, and a loaf, ... , 2 sh. 8 d.

When Sir Walter Scott made the gallant Rittmaster apostrophize his beloved charger, as one with whom he had often shared his loaf, he was not aware that the steed of Montrose had so fared with his master at College; and the incident derives additional interest from the fact that such was Montrose's own fare immediately before his execution:— 'After the ministers had gone away, and he had been a little his alone, my author being in the outer room with Colonel Wallace, he took his breakfast—*a little bread dipt in ale.*'

It is to be regretted that these accounts scarcely illustrate his literary habits at this time. The luxurious command, and frequent pur-

the antient monarchy, his anxiety for its preservation, his *grateful affection* for the person of the King, and his anxious regards for his welfare.' Occasional cant from him to that effect (of which even those who betrayed the King to death were never sparing), will scarcely suffice to make this character history, in the face of his too notorious transactions. 'This day,' he notes in his diary, 'wes the battle at York, betwixt Prince Rupert *for the King*, and the General of the Scottis armie, &c., where *our armie, be the blissing of God*, wes victorious.' Then, was it in nature that such a character as above described could have had his whole soul bent upon the success of Argyle and the defeat of Montrose? He thus notes the battle that crushed Argyle:—'This day, 8 Feb. 1645, being Setturday, in the morning, word cam of a defait gevin be the Irische, and the Erl Montrois, to that part of our armie quhilk wes led be the laird of Auchinbreck, in Lochquhaber. *God be merciful to us.* Thairefter the word cam that this conflict was focht on Sunday, 2 Februar 1645, and that the haill bodie of our armie wes thair, and the Marques of Ergyll in person, and that thair wes killit and taken of our armie 1500 men, and that the laird Auchinbreck was ather slane or taken, and the Marquis fled to Inverara. The Lord be mercifull to this poor Kirk and Kingdom, for this is *ane sad and heavy stroke.*' If he had entertained a spark of genuine feeling for the Monarchy, or for his abused Sovereign, Sir Thomas Hope would, upon this occasion, have been disposed to illuminate his house, and to make a bonfire of his wig.

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chase of books, in which every College youth now indulges whether he reads or not, was in those days not attainable by the wealthiest student. That Montrose had a cabinet of books at College, and even travelled with a pet folio, is an interesting fact very accidentally preserved to us. In April 1629 he purchases some more books, and a greek grammar. But throughout the two years which his College accounts embrace, there are but two purchases of books recorded, the presentation of one other book, and two items for binding. The purchase of Mr William Struther's Meditations has been already mentioned. The next that occurs is on the 2d of February 1629, 'item for *Meditationes Gerardi*, 14 sh.' This must have been the 'Sacred Meditations' of John Gerhard, an eminent German Lutheran divine, and voluminous author, who was born in Saxony in 1582, and died in 1637. The work in question was translated in 1631, by Ralph Winterton, Fellow of King's College, Cambridge, and passed through six editions in nine years. Montrose's next literary acquisition is indicated by the item, 'to Mr Lithgow delyvering his book to my Lord, 5 lb. 16 sh.' There can be no doubt that this is the poet and traveller, William Lithgow, already mentioned, who in 1633 eulogizes Montrose in the welcome to King Charles. The book presented most probably was his 'Adventures and painful peregrinations of long nineteen years travel from Scotland to the most famous Kingdoms in Europe, Asia, and Africa,' which went through several editions between 1614 and 1632; or it may have been 'The Pilgrim's farewell to his Native Country,' which was published at Edinburgh in 1618. This quaint and ingenious author continued to retain his admiration for Montrose, and some time before the year 1640 had submitted to his private reading and criticism the manuscript of a poem, thus alarmingly entitled:—'The gushing teares of godly sorrow,

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containing the causes, conditions, and remedies of sin, depending mainly upon contrition and confession; and they seconded with sacred and comfortable passages, under the mourning cannopie of teares and repentance.' This was a strange poem to submit to a young and gallant cavalier, being a dreary and interminable howl, although redeemed here and there by some nervous verses. But the dedication to Montrose, when it was published in 1640, may serve to explain this:—'My humble request pleads the continuance of your favour, that as your late renowned grandfather, and father, were unto me both friendly and favourable, proceeding from their great goodness not my deserts, so expect I the same from your tender bountie, which hitherto, beyond my merit, hath been exceeding kyndlie manifested. For the which my praise and prayers, the two sisters of myne oblation, rest solidlie ingenochiated at the feet of your conspicuous clemencie. This present work, *in its secret infancy*, was both seen and perused by your Lordship; but now, enlarged, polished, and published,' &c.

In the year 1629 there are two items for binding the young lord's books:—'Item, for binding Buchanan's Workes to my Lord, 12 sh.;' and 'item for binding Argues, 22 sh.;' probably Gerard des Argues, a geometrician of the seventeenth century.[1] Of date, 9th July 1628, there is an item, 'to ane scholer who wretts my Lord's nots in the schooll, 29 sh.,' which may either pass for a symptom of idleness or study; and his patronage of the muse is a second time indicated by this entry:—'18th September 1629, given to ane *rymer* called Croter, 18 sh.' His frequent donations to the gardener of the College, for bringing flowers to his chamber, show that he loved flowers, and decorated his rooms with

[1] He wrote a treatise on conic sections, and another on perspective, and various scientific works, and died in 1661.

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them; and upon Sunday, 30th August 1629, when at Dudhope, paying a visit to the hereditary constable of Dundee, Sir John Scrymgeour,[1] there is a charge of '12 sh. to the gardner giving my Lord ane flower on Sunday;' probably to figure in church with, as we find him that day contributing to the 'broad at the kirk in Dundee,' and to the poor at the kirk-style. Previous to this occurs an item, which indicates that our hero did not limit himself to shooting with the bow; for there is so much given 'to ane servant of the constable of Dundee who brocht some *guns* and *scheries* to my Lord;' and there are occasional items for powder and lead, and 'to ane gunner in Dundee for helping the brasen gun.'

Considering the amount of hunting, archery, and golf at College, and the frequent visits to his curators, both in Edinburgh and the country, and to the hospitable mansions of many distinguished friends, Montrose's application to study, during the two years of his College life, could not have been very close. We find him at the country houses, where, no doubt, the lively young nobleman was an ever-welcome guest, of Fintry, Claverhouse, Inchbrakie, Morphie, Cumbernauld, Balgown, Braco, Orchill, Killearn, Carnock, Duncruib, Rossdhu, Kinnaird, Balcarres, Dudhope, Darsy, Glamis, Scoone, Pitarrow, Gleneagles, Dunglas, The Mains, and various other mansions. One while he is at archery on

[1] Sir John Scrymgeour of Dudhope was raised to the peerage, as Viscount Dudhope, in 1641; and his grandson, the third Viscount, was created Earl of Dundee in 1661. These titles are now in abeyance; but this distinguished race, who were Heritable Constables of Dundee, and Royal Standard-Bearers, are represented by Frederick Scrymgeour Wedderburn of Wedderburn and Birkhill.

[2] By the word *helping* is meant mending. There are various items for helping my Lord's clothes, and one 'for helping my Lord's *wchinger*, 6 sh.' See 'the brasen hagbut' mentioned *supra*, p. 111.

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Bruchty links, and anon playing matches of golf and tennis at Leith. Bells, trumpets, pipes, drums and fifes, seem to have been put in requisition by him wherever he went; and his popularity among the *nurses* must have been great, as he never fails to fee them in the hospitable houses where he visited. His purse was always open to the needy. He never 'takes horse,' or 'loups on,' or dismounts, or 'goes to the fields,' or passes through a gate, or visits a town, without bestowing something on the poor. An 'honest man by the way,' a poor poet or 'rymer,' the rabble looking on at his archery, a dumb woman, a dwarf at the door, and, not the least interesting occasion when we consider the subsequent tie between them, 'some poor *Irishe women* at the gate of Braco,' and 'ane *Irishe man* begging at the gate of Glamis,' are all successful appeals to his charity. Some of the items illustrate the manners of the period. At the commencement of the year 1629 this characteristic entry occurs:—'Item, January first, my lord being in Bacarres, to the Steward and his man coming to my Lord's chamber in the morning with ane drink to my Lord, being new-year's day, 58 sh.' This was at the seat of Sir David Lindsay, created Lord Lindsay of Balcarres in 1633, ancestor of the Earl of Balcarres, the present claimant of the ancient Earldom of Crawford. Sir David was a very learned man, and is said to have possessed the most valuable library of his day. There was once preserved at Balcarres ten volumes, in his autograph, on the subject of the philosopher's stone. But the New-year's morning drink indicates a hearty hospitable house—a Scottish Bracebridge Hall. Doubtless it was the equivalent of the wassail bowl of the old English Christmas customs; and, judging from Montrose's accounts, which indicate that ale was a favourite beverage of his, and frequently shared with his horse, and that he occasionally indulged in possets, and sack and sugar, the

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ingredients of the steward's 'deep can, the merry deep can,' would not be disagreeable to him. We trust that Maister John Lambye himself was not forgotten in this merry distribution of 'gentle lamb's wool.'

Next crown the bowl full
With gentle lamb's wool,
And sugar, nutmeg, and ginger,
With store of ale, too;
And this ye must do,
To make the wassail a swinger.

There are various indications throughout these accounts that Montrose would delight in Christmas gambols and mummery; and probably, when he became a lord of the Covenanting Tables, it was not the first occasion of his being 'Lord of Misrule.' Besides the town musicians, whom he seems to have kept in pay throughout the districts of Scotland which he frequented, we find him paying minstrels, morrice dancers, and jugglers; and upon one occasion, at Cumbernauld, there is an item 'for gloves, masks, and carquans,[1] to my Lord's sisters, 7 lb. 12 sh.' Strange that these old accounts should cast so sudden and long-withheld a gleam of sunshine upon the early days of Montrose! He whom the Chancellor Loudon, abusing the security of that place, denounced as 'a person most infamous, perjured, treacherous, and of all that ever this land brought forth the most cruel and inhuman butcher and murtherer of his nation,' was an accomplished, ardent, open-hearted, generous youth.

In the month of March 1629 we find him in Edinburgh, visiting, somewhat in state, the testy old Chancellor Kinnoul, and his own

[1] '*Carquan*, a carkanet, a chain of precious stones, or of gold or silver.'—*Boyer*.

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relative, the Lord Justice-General. Whenever he arrives, the town drummer is in requisition.

Item, 3 March 1629, for carrying the grath [baggage] from Leeth to Edinburgh, . . .	6 sh.
Item, the fourth, to the drummer in Edinburgh, .	18 sh.
Item for some paper, ...	2 sh. 6d.
Item, the seventh, to the poor at Abbie yeat, .	4 sh.
Item, the ninth, to the poor, . . .	4 sh.
Item to my Lord Chancler's cochmane, for driving the coch with my Lord to my Lord Monteith his loodging, ...	24 sh.
Item for a pair of gilt spurres to my Lord, .	3 lb.
Item for dichting his sword, . . .	20 sh.
Item given to ane dwarffe, begging fra my Lord at his chalmer doore, ...	18 sh.
Item to my Lord Neper's cochman, . .	3 lb. 6 sh. 8 d.
Item to the footman, ...	24 sh.

On the 22d of May 1629 three extra horses are hired, 'my Lord being invited to Darsay, by the Archbishope of St Andrews.' This was Archbishop Spottiswoode, father of Montrose's devoted friend, Sir Robert, 'the good President' who perished at St Andrews on the scaffold, having been made prisoner at Philiphaugh. When the riots against the Service-book, in 1637, were becoming organised into a war of extermination against the Bishops in Scotland, Guthrie mentions that the first appearance of young Montrose at the seditious meetings was particularly noted by them. 'Yea, when the Bishops heard that he was come there to join, they were somewhat affrighted, having that esteem of his parts, that they thought it time to prepare for a storm when he engaged.' The visits at Darsy had probably established this

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character for him with the venerable Archbishop, who was among the earliest victims of the Covenant.

Montrose's diary, for such it deserves to be called, is too soon brought to a close, by the intervention of 'Mistress Magdalene Carnegie.' When but seventeen years of age, he is married to this young lady in the church of Kinnaird, on the 10th of November 1629. The important event seems to have in no degree interfered with the stirring habits of the young nobleman, either before or after it came off. On the 3d of that month, a week before his marriage, he is staying with his curator, Sir Robert Graham, at Morphie. That morning, the weather being severe, he orders his horses to be frosted, and rides to Cowie and from thence to Aberdeen. On the 4th we find him there, buying buckles for his spurs, and scattering alms to the poor of the New-town and the Auld-town, to some Bed-men at the Bishop's-gate, and paying the sum of '46 sh. to the porter of the College for *ringing the bells* there.' He has five horses with him, and the arrival of the boy Benedict appears to have been joyfully hailed. That very day he is presented with the freedom of Aberdeen:—'Item the said day, my Lord having been made burgess, given to the Town officers three dolors:—8 lb. 14 sh.' It could scarcely then have been anticipated that, in a few years, this same boy would 'flutter their Volscians in Corioli;' and that in no long space of time he was to become first a terror and then a champion to the good and loyal town.[1] Upon this occasion, however, he had not gone

[1] In the MS. accounts of the Guildry of Aberdeen, for the year 1629, occur these items:—'At the making of the Earle of Montrois burges; twal buistis, 6 lb.: ane succar laif, 4 lb. 18 sh.; tobacco and pyppis, 12 sh.; bread and candell, 22 sh.; aught pints of Spanish wyne, 9 lb. 12 sh.; four pynts of Frenche wyne, 48 sh.; Summa, 24 lb.' The Southesk Papers prove that Montrose's father was much addicted to the use of tobacco and pipes; but there is a tradition that Montrose himself could not

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there for the purpose of mending his spurs, or of being made a burgess. George Jameson, the pupil of Rubens, and fellow-student of Vandyke, the first, and one of the very few names which entitle Scotland to a place in the history of art, was then resident in his native town of Aberdeen, devoting his genius to portrait-painting. When Montrose was at Morphie, the laird, his curator, had determined to present the young Countess with a portrait of her husband, drawn by the Vandyke of Scotland. Such obviously was the reason for his sudden start from Morphie to Aberdeen, just one week before his wedding-day. Mr John Lambye records a payment at this time, 'for my Lord's portrait, drawn in Aberdeen, 26 lb. 13 sh. 4d.' The charge is scored out, and there is added on the margin, 'this was given by Morphie.' In the following month, and after the marriage, this item occurs:—'December the second day, 1629, to ane who brocht my Lord's portrait from Aberdeen, 12 sh.'[1]

abide the smell of tobacco; and certainly there is not a single item for tobacco in the account of his personal expenditure.

[1] That the artist was Jameson, the only portrait-painter then in Scotland, and who had previously painted Lord and Lady Napier, and who then resided in Aberdeen, cannot be doubted. Montrose arrived in Aberdeen on the 4th of November, and went through the ceremony, that same day, of being made a burgess. On the 5th of November he again took horse from Aberdeen, and the charge for his five horses is just for two days. In this short space he had sat to Jameson for his portrait. Throughout all the accounts there is no indication of Montrose having been in Aberdeen before this time. By the 2d of December following the portrait is finished, and sent to Kinnaird. We have thus an interesting and accurate record, upon a great occasion, of the rapidity with which Jameson worked. Then there is the exact price, twenty-six pounds thirteen shillings and fourpence *Scots;* considerably less than what Montrose bestowed among the servants at Kinnaird, upon the occasion of his marriage. The Editor hopes to be able, ere the account of Montrose's portraits, to be given in these Memorials, goes to press, to afford some trace of this portrait by Jameson, of Montrose when seventeen years of age, and on the very eve of his marriage.

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From Aberdeen Montrose took horse to Arbuthnott, the seat of Sir Robert Arburthnott, created Viscount in 1641, whose wife was Marjory Carnegy, sister of the lady whom the young Earl was about to espouse. From thence, on the same day, the 6th of November, he rode to Halkerton, the seat of Sir Alexander Falconer, created Lord Falconer in 1647, whose mother was maternal aunt to Montrose's spouse. Here he paused for a day, there being some sport towards. In addition to the usual liberality to servants and the poor, there is an item, on the 7th of November, 'to ane boy who had found ane hare the day before, 6 sh.; item given to ane *trumpeter* there, 24 sh.' On Sunday, the 8th, we find him contributing to the poor, and 'to the broad of the Kirk;' and and on Monday, the 9th, he is at Montrose, purchasing two golf clubs, to play a match at golf there with the laird of Luss, little suspecting that *Carlippis* had the power to 'intoxicat' his master's balls. Having finished the match, he takes 'a drink at John Garns,' and then rides to Kinnaird, to salute Mistress Magdalene Carnegie,[1] leaving his horse in charge of a boy at the gate. That same day, 9th November, being the very day before his wedding, again he mounts his horse, and rides to Morphie, to give an account of his reception at Aberdeen, and the progress of his portrait, for which the laird was to pay. There he stays all night, and next day returns to Kinnaird, and is married in the parish church.

Item 10th November 1629, to the servants in Morphie,	8 lb. 14 sh.
Item the *said day*, given the broad in the Kirk of Kinnard *at my Lord's marriage*, . . .	29 sh.
Item to the poor, my Lord coming home from the Kirk, ...	36 sh.

[1] Young unmarried ladies were called *Mistress* in those days, the term not having then acquired its present equivocal signification.

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Item the elevent day to some poor, . .	3 sh.
Item in Kinnard the thretteen day given to *the minstrells*, ...	8 lb. 14 sh.
Item the fifteen day, being Sunday, given to the broad, and to sum poor at the Kirk-style, . .	15 sh.
Item given to the servants off Kinnard, after my Lord's mariage, ...	33 lb. 6 sh. 8 d.
Item 16th day given to my Lord at cards, .	24 sh.

By this it appears that the marriage jaunt of the youthful couple was no further than from the Kirk to the house of Kinnaird; and scarcely had the minstrels ceased to play, when we find Montrose at his clubs and balls again. On the ninth day after his marriage, there is a sum paid 'to ane going to St Andrews for clubs and bals to my Lord;' and also, for 'sax new clubs, and dressing some auld anes, and for bals;' and immediately afterwards another payment, 'my Lord being in Montrois, at the golf, for stabling the horse.' Among the last of the items —for these accounts are brought to a close immediately after his marriage—there is one, indicating his removal from St Andrews, upon which the reader cannot fail to pause:—'Item given to the minister, *Mr George Wyshart*, his servants, who had keept and transported the furniture and truncs, 24 sh.' It was destined that the friendship here commenced between the then minister of St Andrews and this distinguished youth was to become matter of history. The classic and far-famed record which Montrose embraced with fervor on the scaffold, as adding dignity to his death, was the work of this same George Wishart, upon whose tomb in Holyrood the immortalizing word is Montrose.[1]

[1] Wishart, Bishop of Edinburgh when he died, was buried in the Chapel of Holy-

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And peace be to the soul of 'Maister John Lambye.' Little did he think, when keeping these accounts so carefully, that he was, in fact, writing a most interesting chapter in the life of the good and great Montrose, which otherwise would have been altogether lost, and which was destined not to be discovered until two centuries after the hero's death. Now, for the first time, the world may see the gallant boyhood of the great cavalier of his age mirrored, as it were, in this humble record of College expenditure; displaying, too, all the early promise of that chivalrous character whose riper genius conceived the heart-stirring stanza, so descriptive of the attributes of Montrose:—

But if thou wilt be constant then
And faithful of thy word,
I'll make thee glorious by my pen,
And famous by my sword;
I'll serve thee in such noble ways
Was never heard before,
I'll crown and deck thee all with bays,
And love thee evermore.

rood, where the Latin inscription on his tomb-stone is still legible. The concluding couplet refers to his well-known *Commentarius*:—

Gestaque Mont-Rosei Latio celebrata cothurno
Quantula, proh, tanti sunt monumenta viri!

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ORIGINAL PAPERS
RELATING TO THE YOUTH AND EDUCATION OF MONTROSE.
M.DC.XXIV—M.DC.XXXIV.

I. Account for Clothes to Lord Graham, when 11 and 12 years of age.

My Lord Grahame his Compt awand to James Ogilbie, tailzour in Glasgow, beginning in September 1624.

In the first, for making of ane stand of claithe clais to my Lord, ...	iij lb.
Mair for making ane stand of pargone clais, and ane clok, and cutting out thereof, ...	v lb.
Mair for making ane stand of serg clais to my Lord,	iij lb. vj sh. iij d.
Mair for making ane stand of claithe clais and ane clok with pasments to my Lord, ...	vj lb.
Mair for making ane stand of red clais and ane clok to Mungow Grahame, ...	iiij lb.
Mair for making ane stand of clais to William Grahame,	xl sh.
Mair for making my Lord's green camlat clais and ane clok with pasments, ...	vj lb.

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Mair for making ane goun to Mungow Grahame,[1] xxx sh.
Mair for making three pair of soks, . . . xij sh.

Sum. xxxj lb. viij sh. viij d.

II. John fourth Earl of Montrose to the Factor of Mugdock, 9th July 1625.

James Duncan—Ye sall not faill, efter the reseat heirof, to satisffie the Lady Blythswood of ane hundreth marks, and that for ane yeirs maill of the houss whair my sone remainis, and resave her dischairg thereupone as aperteins; lykways ye sall satisffie ane taylzer and ane cordiner of ane compt which Mr William [Forrett] will schaw you, and get thair dischairgis, upon the haill of thair compts, for your warrand. Subscryvit with our hand at Mugdok, the nynt of Julij 1625.

Montrose.

III. Lady Elphinston to the Factor of Mugdock, 21st July 1625.

I Dame Agnes Boyd, Lady Blythswoode, having ful power of Sir George Elphinstoune of Blythswoode, Knight, my husband, to receave and intromett with the maills and rents of his houssis and lands, in his absence fourthe of this realme, grants me to have receavet fra James Duncan, factor of Mugdocke, in name and behalf of ane noble and potent Earle, John Earle of Montrose, Lord Grame and Mugdock, et cet., his maister, the soume of ane hundrethe merks money usual of this realme, and that for the maille of the pairte of our greate ludging with

[1] Mungo and William Graham were Montrose's pages at Glasgow.

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the pertinents situat at the wyne heade in Glasgow, presentlie possessed be the sade noble Earle his son, my Lord Grame, and his servitors, for the space of ane yeare, vizt. betwix the terme of Mertinmes 1624, and the terme of Mertinmes to come, in this instant yeare of God 1625 yeares, wherof I hold me weale contented and satisfeyed, and discharges the sade noble Earle therof for ever, be thir presents wrettin be Mr William Forrett, servitour to the saide noble Earl, and subscryvet with my hand at Glasgow the 21 of July the yeare of God 1625 yeares, befoir thir witnesses, Mr William Forrett, wreitter heirof, and John Logan.

A. Boyd.

Mr W. Forrett, witness. John Logane, witness.

IV. Master William Forrett to the Factor of Mugdock, 12th July 1625.

Receavet be me, Master William Forrett, fra James Duncan, my Lord's factor in Mugdok, the twelt day of July 1625, at my Lords direction, 26 lib. for contenting the personnes underwrytten, to wit, James Ogulvie, tailzour, for making two suite of apparrel to my Lord Grame, the ane uppon the last of February 1625, at his returne from Kingcarne to Glasgow, the other on the 26 of May the sam yeere; for the two suite 6 lib. as his discharge beares: And for satisfeying James Snodgars, cordonner, for fournishing my Lord Grame, and his sister Lady Katherine Grame, with his two pages, Mungo and Willy Grame, betuix the last of February 1625, at his retourne to Glasgow, and the 20 of July the same yeere of God during the sade space, 16 pairs of shoone, at 20 sh. the paire, is 16 lib., as his dischairge beares; and for payment to Ronald Luife, wright, for making ane presse to keepe the naprie and lining cloathes, and other furnitour of the hous, 4 lib., as his dischairge

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beares; whilk completeth the 26 lib. above mentioned, vizt., 6 lib. to the tailer, 16 lib. to the cordonner, and 4 lib. to the wright.

Mr W. Forrett.[1]

V. Lady Elphinston to the Factor of Mugdock, 7th June 1627.

I Dame Agnes Boyd spous to Sir George Elphinstoun of Blythiswood Knight, Lord Justice Clerk,[2] having sufficient power of my said husband, in his absence now in England, to ressaiv and uplift all rentis and house mailles due to him, grants me to haiv ressaivet from James Duncan, factour of Mugdok, the sowme of ane hundreth pounds money of this realme, and that for the mailles of ane pairt of our great ludgin situat in the citie of Glasgow neir the towne heid thereof, sua meikil as was possesset be James *now Erle of Muntrose*, and his servitours for the space of ane yeir and ane half, viz. betwix the terme of Mertimes 1625 and the terme of Whitsonday 1627; of the quhilk sowme I hold me contentet, and therefor in name of my said husband discharges the said noble Erle thereof, and of all other yeires and termes maill preceiding the date heirof sen the said James Erle of Muntrose his inhabiting and possessing of the said ludgin, be thir presents wryttin be my servitour Mr David Elphinstoun and subscryvet be me as followes, at the

[1] The several discharges referred to in the receipt, although on small slips of paper, are still preserved. Those of the shoemaker and the wright afford no additional particulars; but the tailor is a little more communicative. He acknowledges receipt of six pounds 'for making two suites of apparel to my Lord Grame, *the ane of mixt gray inglishe cloathe* uppon the last of February (1625), *the other of mingled paragon*, the 26 of May.' There are various discharges from other tradesmen, for supplying 'my Lord Grame's hous in Glasgow' with 'manchotis, and ate meal, baked in bread;' 'barrels herring, at twelf pounds ilk barrell,' &c.

[2] Sir George Elphinston succeeded Lord Napier as Lord Justice Clerk.—See *supra*, p. 19.

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tower of Corballis[1] the 7th day of June 1627, befoir thir witnes, Robert Duncan sone to the said James Duncan, and the said Mr David Elphinstoun wryter heirof.

A. Boyd.

Mr D. Elphinstoun witnes.
Robert Duncan witnes.

[1] The Knight of Blythswood's 'great ludgin situat in the citie of Glasgow neir the towne heid thereof,' was doubtless one of the manses of the canons or prebendaries of the Cathedral. No trace now remains of the building which had the honour of being inhabited by Montrose for eighteen months of his boyhood. 'The tower of Corballis,' where the receipt is dated, can be nothing else than the tower of the Gorbals on the south side of the Clyde. This, at a subsequent period, became the residence of a very notable contemporary of Montrose, now indeed indissolubly connected with his name, Sir James Turner, of whom Rittmaster Dugald Dalgetty is almost a literal copy. About the time of the Restoration the lands of the Gorbals were purchased by the Town-Council of Glasgow; and, in the year 1670, that body granted a liferent in favouris of Sir James Turner, of the tounes houss and tour in Gorbals, quhilk he presently possesses, for payment yearlie of thrie pundis Scotis, if the samyne be required.'—(Town-Council Registers.)

The Montrose family acquired, but after the time of the great Marquis, the manse of the prebendary of Eaglesham in the Drygate; which, under the name of 'Montrose's lodging,' figures somewhat prominently in the late annals of Glasgow. It too is now demolished. At an earlier period the family held for a short time the manse of the prebendary of Ancrum, on the north side of the Bishop's palace, near the town head, which they are said to have acquired from Graham of Knockdolian, and to have sold to the first Earl of Wigton. For these particulars the Editor is indebted to the ever ready antiquarian assistance of Mr Joseph Robertson of Glasgow.

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VI. Inventory of some of Montrose's effects in Glasgow. 1627.

The Inventour of his Lordship's geire in Sir George's ludging in Glasgow, transported to James Duncan's ludging the 3d of May 1627.

Imprimes, in the first, ane trunk of my Lord's and within it ane plaine silver cupe; ane uther cupe of dimpilit warke and doubill over gilt.
Item aucht silver spunes, with the knapis thereof gilted.
Item silver satfatt of raised warke of ane tyre hight, with ane lid, doubill over gilt.
Item of sma linning serwits, 22 serwits; item fyve wund serwits.
Item thrie towales; item thrie linning lang burd cloathes; item four pair of linning schorts; item ane code ware.
Item ane stane of rid figerato courteins of three peis, with ane rid imbrotherit pane of twa peis.
Item ane brune velvet kirke cusene.
Item ane auld rid broutherit cusene.
Item ane rid chalmore countercloath.
Item ane auld grine countercloath for the Ha burd.
Item ane grine chalmer countercloath.
Item ane pellett bow in ane leder case; and ane leder case with four boutes in it.
Item twa peis courteines yallow, with twa peis of yallow panes sewit with rid.
Item twa cusanes of haras worke.
Item ane of grine hempschyre velvet, and twa rakats for the chapill.

Gilbert Ranking with my hand.[1]

[1] There follows, in this Inventory, a careful enumeration of the young nobleman's bedding, sheets and blankets, and ordinary household utensils. The orthography is more than usually uncouth, and the items not sufficiently characteristic to be worth printing.

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VII. List of Montrose's effects in the hands of his Pedagogue, Master William Forrett, 9th August 1627.

In Mr William's handis.
Item ane souird that my Lord gait fray Merchistoun.
Item ane skairfe that my Lord gait fray my Lord his father.
Item ane belt and ane pair of hingeris.
Item ane braissine haigbuit.
Item ane crois boill set with muther of peirll.
Item the kay of my Lord's trunk that was in Glasgow.
Item the heill boukis that he haid or that was gaittin fray my Lord's father, and *speciallie* Sir Wailter Raillis Historie.

I Mr William Forrett grantes me to have receaved from the rycht honorable the laird of Inshbraikie elder, and from Laurence Græme in Aberuthen, factor for my Lord of Montrois in his Lordship's barronnye of Kingcairdin, the sowme of foure hundrette merkes money, wherof I hold me compleitlye payet, in witnes wherof I have subscryvet thir presents with my hand at Kingcairne the 9th of August 1627.

Mr W. Forrett.[1]

[1] Master William Forrett appears to have been paid off at this time. The history of Montrose's first pedagogue is not known. The only notice of the name which the Editor has been able to discover in contemporary chronicles, is the following, which occurs in a letter from Robert Baillie to Spang, June 1658, written from Glasgow: 'Sundry other sudden deaths, both of men and women, have been among us this year. The other night Mr William Forrest (the same name as Forrett), *an old schoolmaster*, lay down weell at eight o'clock, and before ten was found dead.' There is every probability that this is the same Master William Forrett who first taught and took charge of Montrose. He had survived his quondam pupil eight years, and surely none had watched with deeper interest his astonishing career, or reflected with sadder thoughts on his fate, than the retired old schoolmaster. He seems never to have

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For answer to the memorandum of my Lord's graith alleaget to be in my hands, the particulars as followeth: I grant me to haue in keeping ane guildet sworde whilk my Lord gat from my Lord Naper; with ane silk and silver skairfe whilk my Lord gat from his umquhill noble father; with ane belt and hingers; and ane crosbow set with mother of pearle; with the key of my Lord's trunk in Glasgow; and the silver work and plenishing whilk ar in James Duncan's hous in Glasgow; whilk I obleis myself to delyver in tyme convenient uppon my Lord's sufficient warrant and discharge. As for the brasen hagbut, it was sent to his Lordship at St Androes with John Margat, whilk his Lordship receavet. As for the historye wrettin by Sir Walter Ralye, my Lord himself conveyed it to St Androes at his Lordship's first thither going; and as for these buikes whilk I had in borrowing of his Lordship in this toune, I have delyvered the same to the laird of Inshbraikie.

Mr W. Forrett.

Delyveret to the laird of Inshbraikie, uppon the 9th of August 1627, my Lord's buikes, the names wherof followeth particularlye:

In primis two volumes of Sabellicus Universal Historye in latin.[1]
Camerarius his Living Librarye.[2]
Ane treatise of the Orders of Knighthoode.
The lyfe and deathe of Queene Mary.[3]
Godfrye de Bulloigne his historye.[4]

joined, prominently at least, the clerical agitations of the times. Probably he had stirred little from Glasgow, where he died, since the time he took charge of Montrose there.

[1] Marcus Sabellicus, an Italian historian and critic of the fifteenth century.

[2] Joachim Camerarius, a learned and voluminous writer on natural history, of the sixteenth century.

[3] The History of the life, death, and variable fortunes of Mary Queen of Scotland. Lond. 1624, fol., by William Strangvage.

[4] Probably Fairfax's translation of Tasso's Godfrey of Bulloigne, 'with the life of saide Godfrey.' Lond. 1600, and 1624.

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The Historye of Xenophone in latin.
The workes of Seneca with Lipsius commentar.[1]
Summa, 8 buikes.

The bukis above wretin wer att the instant tyme off the reseit theroff put in my Lordis chamber be me, and therefter put in my Lordis his Lordship's cabinett be me, his Lordship thene being present.

P. G. INSBREKIE.[2]

[Endorsed by Inchbrakie.]

Dischairge be Mr William Forret off iiij^{c} markis, with his answers to the memorandum within this paper.

P. G.

August 9, 1627.

VIII. JAMES GRAHAM, MONTROSE'S SERVANT, TO JAMES DUNCAN, FACTOR OF MUGDOCK, 2d September 1627.

Loveing and assurid freind,

I doubt not bot ye have resevit the letter which I send to you with Harie Blackwod his man concerning the causing mak buits and schone to my Lord, as his Lordship derects me alwayis; bot as ye wair not in the towne when I wreit to you befoir, in respect of the commoditie of the bearer I have taikin occasioune to wreit thir few lynes to you desyreing you maist earnestlie to send my Lord's buits and schone with the bearer, give possible they can be redie; and give ye can not gett bothe the buits and schone redie to send with the bearer, I will desyre you to

[1] Justus Lipsius, a very learned critic of the sixteenth century.

[2] Patrick Graham of Inchbrakie elder, and one of Montrose's curators. Patrick Graham younger, whose sobriquet was 'black Pate,' was the companion of Montrose when he raised the royal standard in Scotland 1644.

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send any of them that are redie so far. As I wreit to you before, my Lord hes naither buits nor schone that he can put on for the present. As also I will desyre you, as I wreit to you befoir, to send heir ane pair of fyne weill favourit ryding glovs, and twa pair of schevereins, to my Lord. So having no farther for the present, my loveing dewetie rememberit to yourself and your bedfallow, I rest,

Your most loveing and assurit freind,

JAMES GRAHAM.[1]

Rosdo, the 2 of
September at nicht, 1627.

To his loveing and assuired freind
James Duncane, factour of Mugdok, These.

[P. S.] Give ye can gett any schone that ar maid alredie, fitt for the purpose, I will desyre you to send them with the bearer.

[Note by the factor.]

The 16 of September 1627, sends my Lord to Garskube[2] ane pair of boitts at 6 lb, 13 f 4d; with twa pair schone 3 lb, and drinksiller 12 f; ane pair ryding gluiffes, 16 f; twa pair scheverons 15 f, with 2 f drinksiller. Summa; 11 lb, 18f, 4d.

[1] This James Graham, as appears from the Southesk Papers, was in the service of Montrose's father, and subsequently we find him designed 'my domestic servitor' by Montrose. It is possible that it fell to the lot of this family retainer to execute the criminal letters against the laird of Luss, as the messenger who did so was of that name (supra, p. 99), and may have obtained the post as a reward for his services to the family.

[2] Garscube was a residence of the family of Montrose, as frequent mention is made of 'my hous of Garscub' in the precepts of Montrose's father, probably meaning Garscube in Dumbartonshire, now belonging to Campbell of Succoth.

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IX. Montrose to James Duncan, Factor of Mugdock, 26th December 1627.

James Duncan—Ye sall answer and delyver to our domestic servitor James Grame the soume of three hundret merks money to be debursit be him in our affairs quhilk salbe allowed to you in compt of our fermes of Mugdok anno 1626 and maills therof 1627 be thir presents subscryvit be us at Edinburgh the 26th of December 1627 yeirs.

Montrois.[1]

X. Montrose to James Duncan, Factor of Mugdock, 27th December 1627.

James Duncan—Ye sall not faill to delyver to Stephane Boyde[2] mairchant burges of Edinburge the soume of four hundret twentie aucht punds fourtein shillings money quhilk is awing to him and will mak him compleitlie payett of all merchant wares sauld and furnissit be him to the Erle of Montros of noble memorie my father preceiding his Lordships depairture this lyfe, quhilk sall be allowit to you in compt of our rent of Mugdok and fermes therof of the crope 1626 and maills 1627

[1] Montrose in his youth spelt his name indifferently Montrois or Montrose, but in after years adhered to the latter mode.

[2] Stephen Boyd was the name of the Captain of the Castle of Edinburgh at the time when Montrose, Lord Napier, Stirling of Keir, and Stewart of Blackhall, were ordered by the Argyle government to be confined there in 1641, as 'plotters' against it. Boyd was superseded in his office by Colonel Lindsay because he had allowed Montrose to confer there with his fellow prisoners, and relatives, Napier and Keir. Baillie, in his Letters, says: 'Wednesday 11th August 1641, Colonel Lindsay being sick he got warrant to put in his place for charge of the Castle any for whom he would be answerable. He named *Stephen Boyd*, his predecessor, whom the Committee, 'for his *too great respect for his prisoners*, had shifted of that charge.'

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upon sicht of his discherge and thir presents subscryvit at Edinburgh the twentie sevine day of Desember 1627.

MONTROIS.
MARGARET GRAHAME.[1]

XI. ACCOUNT OF MONTROSE'S EXPENSES IN DRUMFAD, 28th October 1628.

My Lord of Montrofs his Lordship's dyat and ordinar expenssis in Drumfad, cummand fra Bracho to Drumfad[2] on Tysday at evin the 28th of October 1628 yeirs accumpaneit with the laird and lady Luss and the rest of his Lordship's sisters.

To the number of fourtein personnis thair ordinar expenssis at supper, at x sh. the ordinar, is	vij lb.
Sex boyis at ij sh. the ordinar, is . . .	xij sh.
Item on Wedinsday at dennir the saids personnis, with my Lord of Wigton, and Malcolme his Lordship's brother, and the laird of Bischoptoun,[3] to the number of auchten personnis, extendis to	ix lib.
The said sex boyis, ...	xij sh.
Item twelf horfs, ilk horfs at evin and morne, 1 peck with uther fodder, is sex sh., extendis to	iij lb. xij sh.
Summa the first dyat is	xx lb. xvj sh.

[1] Lord Napier was at this time attending the Court in England, and Lady Napier appears to have signed the precept as curator for her brother in absence of her husband. The signature Margaret Grahame is certainly the autograph of Lady Napier.

[2] Drumfad seems to have been a farm of Montrose's in the barony of Kincardine, in Strathearn.

[3] Brisbane of Bishoptoun, ancestor of General Sir Thomas Makdougall Brisbane, of Brisbane and Makerstown, Bart.

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Mair on Fryday the last of October.

The foirsaids personnes accompaneit with Gleneglis[1] and his servands, being sextene in number, cumand fra Kincardin to Drumfad, thair ordinaris at supper extendis to	viij lb.
Item ane pint of wyne sek at	xxx sh.
Item thair exspensis on Settirday at denner, with sum gentlewomen that resortit to my Lady Luss, extendis to	viij lb.
Item ane pynt sek, ...	xxx sh.
The said sex boyis at denner and supper, . .	xxiiij sh.
Item the said twelf horss cums to . . .	iij lb. xij sh.
Summa the secund day extendis to	xxiij lb. xvj sh.
Summa totalis is . . .	xliiij lb. xij sh.

Quhilk sum is payit to me be Robert Graham factor, upon the 25th January 1629.

JAMES GRAHAM.

Nota to remember that this compt is by and attour the lardis of Morphie and Claverhouse quho payit for thair men, and horss, etc.[2]

[1] Haldane of Gleneagles, a Perthshire family of great antiquity.

[2] Sir Robert Graham of Morphie, and Sir William Graham of Claverhouse, both branches of Montrose, and two of those whom the young Earl selected as his curators.

It was the great-grandson of this Claverhouse whose fame in arms and loyalty became second only to that of Montrose himself:

> The Gordon has ask'd of him whither he goes—
> Wherever shall lead me the soul of Montrose.'

It was not hitherto known that the great Dundee was first moved to attach himself to the service of the royal family by his own chief, the young Marquis of Montrose, grandson of our hero; and this at the instance of the Duke of York himself, who appears from the first to have appreciated the military genius of Claverhouse. The following interesting letter, the original of which is in the possession of Miss Douglas of Brigton, has not been printed before. The untimely death of the writer of it, the

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XII. Sir John Colquhoun of Luss to Mr James Gillespie, Minister at Killearn, 1st July 1629.

Rycht Assured Guid freind—As be your letter you willed I should wrytt to James Doncan for paying to you your hundreth marks restand to you of the stipend, so heir receave the same from the bearer, upon the delyverie wherof to James I hoip he sall satisfie you according to reasoun. Having not further I rest your guid freind

J. Colquhoun of Luss.

Roisdo, 1st July 1629.
To his richt assured guid freind
Mr James Gillespie
Minister of Killearne, These.[1]

third Marquis of Montrose, a nobleman of high promise, who died in 1684, appears to have been much lamented. It is addressed to the laird of Monorgan, who was Graham of Fintry.

'London, Feb. 19, 167$\frac{7}{8}$.

'Sir—I hope now to be able within a week or ten days to give you an account by word of mouth of my resolutions, and the reasons I have for accepting a troupe in the Duke of York's regiment of horse, so I shall forbear troubling you with a long letter, only I must tell you that I have all along met with a great deal of favour from his Royal Highness, and that he has assured me that this shall be but a step to a more considerable employment. He has a very good opinion of Claverhouse, and he bid me endeavour by all means to get him for my lieutenant; wherefor I must earnestly beg that you would be pleased to represent to him the advantages he may have by being near the Duke, and by making himself better known to him; and withall assure him from me that if he will embrace this offer he shall also share with me in my advancement and better fortune. I need not use many words to shew you the disparity that is betwixt serving under me and any body else, though of greater quality, he being of my house and descended of my family. You may say more to this purpose than is fitt for me to do. I shall say no more but that by this you will infinitely oblige, Sir, your most affectionate cousin and servant,

'Montrose.

'For the Laird of Monorgan.'

[1] This letter relating to Montrose's affairs is written at the very time when the laird is concocting his diabolical schemes against Lady Katherine.

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XIII. Montrose to his Chamberlain Robert Graham, 1629.

Robert Grœme—Ye sall not feall to delyver to Thomas Moncaur off Shilhill fourtie pounds wiche I have contributt to the releif off those gentillmen who are damaged by the flowing off their mosse in Stirling shyre.

Montrois.

[Endorsed]
My Lords warrand for fourtie pounds to Thomas Moncur contributed to the releiff of the gentilmen that was distressit be the flowing of the moss.

I Thomas Moncur of Fardill grants me to have resaved from Robert Graim chamerlan to the Erll of Montros the sum of fourtie pund and that in name of my Lord for his contribution to the overflowed moss, the quhilk resait heirof I subscryve with my hand at Shilhill the 17th day of August the yeir of God 1629.

Thomas Moncur.

[Endorsed]
Dischairge granted be Thomas Moncur of fourtie pounds money quhilk my Lord gaiff to the help of thois that wes distressit with the overflowing moss in anno 1628.

XIV. Contribution by Montrose to Glasgow College and Library, 1632.

To be given be me James Erle of Montrose for the help of the building and Librarie of the Colledge of Glasgow the sowme of

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four hundret merkis. Subscryved with my hand at Edinburgh 19th October 1632.

MONTROSE.

Payed 16. November 1634,
and debursed be the Principall.[1]

[1] The above is from an interesting record in the Charter-room of the University of Glasgow, entitled as follows:

'An Inventorie of the volontar contributions of the soums of money gevin or promised to be gevin for the building of an common Librarie within the Colledge of Glasgow, furnishing thairof with books, and utherways inlarging the fabrick of the said Colledge to the publick and privat use of the students be the persouns efter mentionat according to thair severall ticketts and subscriptions in this book.'

The list of subscribers is headed by King Charles I., with his royal signature, and a note is added, indicating that the sum subscribed by the Martyr was paid by his murderer in the year 1654.

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APPENDIX TO PART II.

HOUSEHOLD ACCOUNTS AND PERSONAL EXPENDITURE OF MONTROSE. M.DC.XXVI.—M.DC.XXIX.

I.

Account of Montrose's household expenses in Kincardine at the funeral of his Father, 1626-7.

The dyet and ordinar expensses of Lord James his hous haldin in Kincardine, beginand the 12th day of November 1626, and continewand to Moonday the 8th of January 1627, that his Lordship raid from Kincardin to Kilbryde, my Lord of worthie memorie his Lordship's father deceisand in Kincardin on tysday the 14th of November 1626 his Lordship being present in Kincardine the haill space accompaneit with his Lordship's honourabill freinds; the buriall was accompleisit the 3d of January, and the haill freinds remainit in Kincardine therefter sattling his Lordship's affairs till Sonday the 7th of January; the expensses as follows, extending to 8 oulks.

Pantrie.

Enterit out of Old Montrois sax bolls quheit, and send to Sterling to Robert Hendresoune baxter, quho gaiff for the same, according to conditioun made

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with him, fyve bolls twa firlots flour; mair, coft fra him twa bolls flour, price of the boll ix lib. is xviij lib.; quhilk haill seven bolls half boll flour are spendit, except three firlots, quhilk three firlots restis yit.

Enterit fra Laurence Grahame out of the girnall xxxvij bolls j firlot meill, quherof there is vij bolls j firlot enterit in my Lord's dyet book; the quhilk xxxvij bolls ane firlot are spendit.

Wyne Sellar.

Enterit and coft be Laurence Grahame twa puncheons claret wyne, and ane puncheon quhyt wyne; price of ane puncheon therof, iij^{xx} lib.; price of the uther twa puncheons, j^{c} lib.; of the quhilk there is ane puncheon enterit in the dyet book; of the quhilk three puncheons there is twa spendit, and restis in the sellar ane puncheon claret wyne.

Mair, coft be Laurence Grahame the said spaice fra James Grahame in Drumfad iij gallons claret wyne quhilk is also insert in the dyet book; price of the pynt xij sh., is xiii lib. viij sh. Wyne sek at xx sh. the pynt, quhilk is contenit also in the dyet book; and mair coft be him four gallons ane pynt sek at xx sh. the pynt; inde of the haill v gallons ij pynts extends in the haill to 4 lib.

Item coft be him fyve gallons vyniger at viij sh. the pynt, quhilk is insert in the dyet book, extending to iiij lib.

Aill Sellar.

Enterit and coft be Laurence Grahame, of Ester aill ix gallons at xij d. the pynt is iiij lib. j sh. 4 d. Mair, enterit of malt the said space viz. fra the 12th of November 1626 to the 8th of January 1627 xxxij bolls malt, quherof there is 4 bolls contenit in the dyet book.

Lardner.

[There follows in the MS. a minute account of the beef, mutton, lamb, veal, and hams provided upon this occasion, which are here omitted.]

Item presentit be my Lord Stormont twa Birsall foulls,
sax Pertriks, twelf Plewvers.

Enterit coft be Lawrie of wylde meit in Perthe; of
Muirfoulls xxviij at x sh. the peic is . . xiiij lb.

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Of Termaiganis xij at viij sh. the peic, . . iiij lib. vj sh.
Item, of Black-cokis and Ethe-henis v at xviij sh. the peic is . . . . . iij lib. xj sh.
Item of Capercalzeis twa, price . . . iij lib. iiij sh.
Item of Plewvers xx pair at x sh. the pair is . . x lib.
Item of Pertriks iij at xiij sh. 4 d. the peic is . . xl sh.
Item of Wyld-geis viij at xxvj sh. 8 d. the peic is . x lib. xiij sh. 4 d.
Item three Wodcoks, price . . . . xxiiij sh.
Enterit and coft be Laurence Grahame fra Johne Carmichall twa Wyld-geis price of the peic xxiiij sh.; vj Goldineis price of thame all xxvj sh.; three Pertriks, price xxxvj sh.; iij Muirfoulls price xxx sh.; ane Plewver price v sh.
Presentit be the lard of Lawers ane Blak-cok, v Muirfoulls and the fuirthe of ane Hynd.
Presentit be Glenorquie ane grit Hynd.
[Here follows in the MS. the enumeration of capons, geese, and other poultry; and of the contents of the 'Peittie Laidner,' consisting of cheese, butter, eggs, candles, herrings, spices, and confectionery.][1]

II.

EXTRACTS FROM THE ACCOUNTS OF LAURENCE GRAHAM, FACTOR OF KINCARDINE, 1627.

Item delyverit to John Grahame in my Lord Napers cloiss, on the fourt day of Apryll [1627] to be bestowed as was nessesar on my Lord [Montrose] his serveice as his compt will schaw everie particular, iij^{xx}vj lib. viij sh. iiij d.

[1] It must be kept in mind that the money in all these accounts is Scottish money. It has not been thought necessary to print all the details relating to the larder and cellar of Kincardine, which would have occupied several pages. It appears that after the young Earl rode from Kincardine to Kilbride on Monday the 8th of January 1627, as mentioned in the title to the accounts, he had not proceeded straight to St Andrews, but had returned that same day to Kincardine, where he remained for some days with Graham of Inchbrakie, Graham of Braco, and other friends, and then rode to St Andrews on Tuesday the 23d of January. The date of his incorporation there is 26th January 1627. *Supra*, p. 109. The movements of Montrose are thus accurately ascertained

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Item gifin for bookis to my Lord, Claverhouse being present, ...	xix lib. iiij sh.
Item mair for ane Greek gramer to my Lord, .	iij lib. x sh.
Item to William Jhon for executing the breifis, .	iiij lib. xij sh.
Item to Claverhous to gif the officiar that execut the breifis in Angus, ...	xlviij sh.
Item gifin to Claverhous the day of my Lord his serveice ane pen of gold to tak instruments with, .	liij sh. iiij d.
Item mair that day to Claverhous for instruments taking, ...	vij lib. xij sh.
Item to Mr Jhon Rollok for the act of curatorie, .	xxvj lib. xiij sh. iiij d.
Item to the meissers the day of the service, .	liij lib. vj sh. viij d.
Item to ther men, ...	liij sh. iiij d.
Item gifine for the maissers denners in James Brownis the day of the service, ...	viij lib. x sh.
Item to Mr Thomas Hop,[1]	xxvj lib. xiij sh. iiij d.
Item to his man, ...	iij lib. vj sh. viij d.
Item to Mr James Oliphant, ...	x lib. xiij sh. iiij d.
Item to the keeper of the Tollboith dor, . .	xxiiij sh.
Item for boits and schoes to my Lord, . .	ix lib.
Item to Lady Dorathie at my Lordis direction,[2] .	xxvj lib. xiij sh. iiij d.
Item at my Lordis direction to the nureis and servants in his Lordships sisters,[3] . . .	vj lib. xiij sh. iiij d.
Item to the coache man, ...	iij lib. vj sh. viij d.
Item for my Lord his chalmer meill[4] quhen he went to his service, ...	xx lib.

from the following title to another household account which immediately follows that printed in the text:—

'The dyet and ordinar expensis of my Lordis hous, beginand on Monday the 8th of January 1627 to Tusday the 23d of January his Lordship dyned in Kincardin and road to Sanctandrois, his Lorship being accompaniet the said spaice with Braiko, Inchbrakie, and sundry of his Lordships freinds.'

[1] Mr Thomas Hope had been recently appointed Lord Advocate. He was not created a Baronet until the following year, 1628.

[2] Montrose's sister Lady Dorothea Graham. See *supra*, p. 91.

[3] Montroso's sister Lady Napier. See *supra*, p. 91–113.

[4] *i. e.* The rent for his lodging.

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Item quhen my Lord went bak to Sanctandrois, for fracht at the Queenisferrie, and water of Cramond, ...	xl sh.
Item for my Lordis supper and brakfast in Brunteland,	v lib.
Item to the servants there, ...	viij lib.
Item for my Lord his sisters horses and John Grahamis in Brunteland, ...	xv sh.
Item to the twa boyis that cam with the horses for drink-sillar, fracht, and to mak ther charges that nicht that they stayed in Brunteland, . .	xxxv sh.
Item for my Lord his awn horses ten dayis in Brunteland, ...	vij lib. x sh.
Item to my Lord his footman in Brunteland ten archesons, inde	vj sh. viij d.
Item at my Lordis direction to the servants in Claverhous quhen he went to Sanctandrois, . .	xxiiij sh.
Item delyverit to James Grahame to gif ane boy to carie letters to Stratherne, ...	xxiiij sh.
Item for my Lord his sasing to the Scheriff and Scheriff clarke, and to Mr Alexander Wedderburne for registrating therof, ...	iij^{xx}xiij lib. vj sh. viij d.
Item to the Scheriffs officiar that day the sasing was gifine, ...	xxx sh.
Item for the custome of the nolt and horses that was sold in Brechin, ...	xxxvj sh.
Item for meit and drink to the men that haid the nolt, horses, and scheip to the market, . .	xxxviij sh.
Item for the custome of the cloith and ther expensis that sold it, ...	xviij sh.
Item delyverit be John Grahame to my Lordis Regent in Sanctandrois, now quhen my Lord left the colleig upon the thrattein day of July [1637], . .	xxxiij lib. vj sh. viij d.
Item gifine for ane sadill to my Lord, with the covering warkmanchip and girthes, . . .	vij lib. xv sh.

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Item gifin to the lard of Claverhous quhilk he gaif furth to my Lordis Regent at Candilmess last, .	xxxiij lib. vj sh. viij d.
Item mair to Claverhous quhilk James Grahame borowit at Sanct Johnston, . . .	lviij sh.
Item to the porter quhen he cam last from the Colleig,	xxiiij sh.
tem for wyne and aill at my Lordis waycuming, .	xvij sh.
Item at his onloupine, to the poor, . . .	ij sh.
Item in Drumquhaid fra Fredday at nicht till Sonday in the morning, being four ordinars, . .	iiij lib. xij sh.
Item for my Lordis horses in Drumquhaid twa nichts,	xviij sh.
Item to the servants their, ...	viij sh.
Item for my Lordis fracht and horses and horse fracht at the Quenis [ferrie] the 22d of July 1627, .	xl sh.
Item for the horses hyir that caried my Lordis pokmantie from the ferrie, . . .	xvj sh.

III.

ACCOUNT OF THE PERSONAL EXPENDITURE OF MONTROSE WHILE A STUDENT AT THE UNIVERSITY OF ST ANDREWS, KEPT BY MR JOHN LAMBYE IN THE YEARS 1628 AND 1629.

MAISTER JOHNE LAMBYES COMPTS.[1]

First, depursed on the penult of Aprill 1628 years, for my Lords two horses standing in Edinburgh from 22 of Aprill to the 29th . . .	5 lib.
More on that same day to Jhone Meuros for his wages from the twentie two to the twentie nyn of Aprill, four shillings daylie, ...	32 sh.

[1] From the papers of the old Forfarshire family of Lammie or L'amy of Dunkenny (now represented by James L'amy, Esq. of Dunkenny, Sheriff of Forfarshire), it appears that in the year 1668 a member of that family was 'Mester John L'amy Minister of Maritoun.' As this was a parish in Montrose's barony of Old Montrose, there seems little reason to doubt that 'Maister Johne Lambye,' Montrose's tutor or 'servitor' in 1628, had been presented to the parish of Maritoun between the date of that service and 1668. In the MS. of 1668 the name is written L'amy, but not with a capital A.

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More given to my Lord there, . . .	58 sh.
More on that same day for ane paire of spurs to my Lord, ...	20 sh.
More for an pair of shoes for my Lord, . .	30 sh.
More to ane taillor boy qucho brocht in my Lord's hunting cape, and his cloths efter they had been helped, ...	6 sh.
More to the Pedell of West Kirk of Edinburgh for the testimoniall of that Church before the marriage of my Lords sister, ...	36 sh.
More given to the servants of my Lord Napers house at my Lords departing efter his sisters marriage,	10 lib
More to the poor at the ports of Edinburgh and Lithco,	4 sh.
More for Mr William Struthers Meditations,[1] .	16 sh.
More for bowstrings for my Lord, . . .	24 sh.
More depursed in Carnok the last of Aprill for two horses hyre from Edinburgh to Carnok, . .	4 lib. 16 sh.
More that same day to the boy qucho hade bak these horses, ...	6 sh.
More to ane boy qucho went with ane letter from Carnok to Orchill,[2]	6 sh.
More for removing[3] the gray horse in Carnok, .	3 sh.
More given to the drummer and piper of Stirling qucho come to Carnok at my Lords being there,	46 sh.
Item depursed on the second of May at my Lords coming from Carnok, to the servants there, .	11 lib. 12 sh.
More to the Lady Carnoks nurrice, . .	3 lib.
More to ane pyper at my Lords departing, . .	12 sh.
More in Stirling for stabling my Lords horse, .	6 sh.
More to the poor there, ...	3 sh. 4 d.
Item the third of May given to two boys qucho tuik bak the horses borrowed from the laird of Duncrube,	12 sh.

[1] See *supra*, p. 93.

[2] John Graham of Orchill, one of the Curators of Montrose. See *supra*, p. 109.

[3] 'Removing,' here means removing the horse's shoes; the phrase frequently occurs in the blacksmith's accounts.

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Item the fourt of May given to the poor at the Kirk of Blackfourd, ...	8 sh.
Item the fift of May given to the servants in Orchill,	44 sh. 6 d.
Item the seventh of May given to the servants and nurrice in Machanie, ...	3 lib. 4 s.
More to ane pyper there, ...	6 sh.
More to ane littell boy qucho had served Jhone Græme, ...	16 sh.
More that same day in Dinnin for ane new shoe and removing my Lord's black horse, . .	7 sh.
More at my Lords lichting at Newbroche, . .	6 sh.
More for my Lords supper at nicht in St Andrews, .	3 lib. 2 sh.
Item the eicht of May to two boys, qucho had bak the horses quhilk came from Kincardine, for their supper and at the returning, . . .	12 sh.
More that same day to the post of St Andrews, for bringing some cloth from Edinburgh to St Andrews, ...	26 sh.
Item on Satturday at nicht the tenth of May for extraordinars in my Lords chamber for breakfast and collatioun the week before, . . .	22 sh.
More for ane pound of candell, . . .	4 sh. 8 d.
More to Johne Meuros[1] for his wages that week from the 7th of May to the tenth at nicht, 40d. dayly	13 sh. 4 d.
Item on the twelt of May given at my Lords direction ane Hungarian poet qucho made some verses to my Lord, ...	58 sh.
Item on the fiftein, for ane paire of shoes to my Lord, and dressing his boots, ...	32 sh.
Item on Satturday at nicht 17th of May given to Johne Meuros for his weeks wages, . .	23 sh. 4 d.
More for extraordinars in my Lords chamber that week, and given to the poor, . . .	12 sh.

[1] 'Meuros' seems to be the same name as Melrose. See *supra*, p. 92, where the name of this domestic having been erroneously read Menzies from the MS., is so printed.

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More to ane bakstare qucho had bekt sum souls in Lent in the monthe of Marche, for floure and other necessars,	3 lib. 17 sh.
The 19th of May for two golf balls to my Lord,	10 sh.
More for ane load of cols,	7 sh. 6 d.
Item twentie one of May, being a fast, to the poor of the Kirk,	10 sh.
Item twentie three of May, to three load of colls,	22 sh. 6 d.
Item to the collier for colls once before	45 sh. 6 d.
More given to my Lord that day	58 sh.
Item 24th of May for furnishing my Lords chamber that week in the begining of his sickness, furnished by James Pett's dochter; thus given up by her:	
First, for my Lords breakfasts, Weddensday, Fryday, and Satturday,	12 sh.
More for two dishe of fryed chikens,	16 sh.
More for two chickens rosted,	6 sh.
More for bred and collatioun that week,	12 sh.
More given to John Meuros for his week's wages,	23 sh. 4 d.
More for ane beust of carnell for my Lord,	12 sh.
Item to William Geddes wyfe for two mutchkins of sek and sukar thereto,	18 sh.
Item 27th of May for cannell,	6 sh. 8 d.
More for sum tablets for my Lord,	6 sh.
Item 28th at my going to Dundie for the Doctor, at the ferrie,	14 sh.
More for the horse, straw, and stabling at the wettersyde,	2 sh.
Item 29th of May given for thre load of colls,	22 sh. 6 d.
More given to Doctor Maall, / More for his supper and denner,	26 lib. 13 sh. 4 d.
More for halfe ane pound of raisins,	3 sh. 4 d.
Item penult of May to the post for bringing ane cheass brod from Edinburgh,	6 sh.
More for ane shoe, and removing my Lords horse,	6 sh.

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More for ane chopin of claret wyne, . . .	7 sh.
Item the last of May to John Meuros for his wages that week, ...	23 sh. 4 d.
Item for furnishing my Lords chamber that week, thus given up:	
First for sax paire of chikens, . . .	36 sh.
More for two broths that week, . . .	20 sh.
More for thre dishe of bred and milk, . .	12 sh.
More for posset and bred and ale that week, .	18 sh.
Item for elle-berrie	24 sh.
More for quchay, ...	4 sh.
More to the Landerer for sum rents of the last quarter, ...	36 sh.
Item the first of June 1628 for making gealle, two capons, ...	18 sh.
More for veels feet thereto, . . .	6 sh.
More for other ingredients, ...	13 sh. 4 d.
More to Lokkie for hir collection, . . .	16 sh.
More on the thrid of June for Doctor Maalls dyets first and secund tyme four mealls, . .	3 lib. 12 sh.
More to the boy qucho went for the Doctor the second day, ...	18 sh.
More to ane boy going with the Doctor and bringing bak the horse from the ferrie, . . .	6 sh.
More given to Doctor Maall, . . .	13 lib. 6 sh. 8 d.
More for likeres, ...	6 sh.
More for halfe ane pound of raisins, . .	3 sh. 4 d.
Item the fyft of June given to the cook for two chikens for my Lords brothe, the fourt and fyft day, .	6 sh.
More to ane barber for taking off my Lords heare,	10 sh. 6 d.
More given to Doctor Arnot at his departing, .	80 lib.
More for the Doctors dyet in four days, and Doctor Maall with him one day, . . .	6 lib. 16 sh.
Item 7 of July to ane boy qucho brocht sum truits from Kinkardin, ...	8 sh.
More for ane suit of cards, ...	3 sh.

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More to Jhone Meuros for that weeks wages,	23 sh. 4 d.
More for sukar,	6 sh.
More to James Pets dochter for furnishing my Lords chamber that week, four pounds twelve shillings, thus given up by hir:	
First, possit,	37 sh. 4 d.
More for ell-berrie,	56 shs.
tem 8 of June for succar,	4 sh.
Item the tenthe of June to the cook for fyve chickens,	15 sh.
Item the eleventhe for eags and vinager,	2 sh.
Item 12 to the cook for ane chicken,	3 sh.
More for ane leagg of mutton,	12 sh.
Item 13 for thre chickens,	9 sh.
More for half ane pound of butar,	32 d.
More to ane boy qucho brocht sum muirfowl from Orchill,	6 sh.
More for wax and paper,	16 sh.
Item 14 of June to John Meuros for his wage that week,	23 sh. 4 d.
More to James Pets dochter for furnishing that week:	
First, for possit,	28 sh.
More for ell-berrie,	24 sh.
More for two paire of chikens,	12 sh.
More for milk-breds dayly to my Lord's brakfasts,	28 sh.
More for quchay,	5 sh. 4 d.
Item the feiftein of June for ane paire of doues,	2 sh.
More ane chicken,	3 sh.
More for sum drapped eags,	2 sh.
Item 17 of June for ane pair of chikens,	6 sh.
More to ane boy qucho brocht sum truits and milk from Sir Andrew Balfour,[1]	6 sh.

[1] Sir Andrew Balfour, Doctor of Medicine, distinguished as a physician, a naturalist, and a scholar. He was a younger brother of the well-known Sir James Balfour, the Lord Lyon who so minutely records the demeanour of Montrose when receiving his sentence, (*supra*, p. 112.) See the *Memoria Balfouriana* of Sir Robert Sibbald, and the preface to Balfour's Annals.

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Item 18 of June for ane pair of chickens, . .	6 sh.
More for sukar, ...	4 sh.
More for ane pound of butar, ...	5 sh. 4 d.
Item 19 of June for ane pair of shoes and drinksilver to the boy, ...	28 sh. 4 d.
More for two chikens at denner and one at supper, .	9 sh.
Item 20 June for ane duzain of fresh-water flooks, .	4 sh.
More for ane pair of chickens, . . .	6 sh.
More for drapped eggs at supper, . . .	2 sh.
More for ane pound of butar, . . .	5 sh. 4 d.
Item 21 of June for ane paire of chikens, . .	6 sh.
More for ane duzain of freshe-water flooks, . .	4 sh.
More to Johne Meuros for his wages that week, .	23 sh. 4 d.
More to James Pets dochter for my Lords brakfasts in bred and milk that week, . . .	28 sh.
Item 22 of June for ane duzain of freshe-water flooks,	4 sh.
Item 23 for ane pair of chickens, . . .	6 sh.
Item 24 for ane string of buton for my Lords cloths,	10 sh. 8 d.
More for ane duzain of fresh-water flooks, . .	4 sh.
Item 26 for quchay, ...	2 sh.
Item 28 given to my Lord playing at cards, . .	26 sh.
Item the last [of June 1628] for ane pound of candell,	4 sh. 6 d.
More two load of cols, ...	14 sh.
More to ane wreicht for putting up and taking doon ane courtain from the window, . . .	4 sh.
More to James Pets dochter for bred and milk that week Weddensday, Frydday, and Saturday, .	12 sh.
More for muton collops at brakfast the uther days, .	6 sh. 4 d.
Item 2 of July to sum poor, ...	3 sh.
More for ane drap of silk, ...	2 sh.
Item the thrid of July to Mr James Barklay, my Lords boord, ...	90 lib.
More to ane chirurgian for healing ane boys head to wiche my Lord did contribut, . . .	30 sh.
Item on the 4 of July to the producer of the silver arrow at the butts, ...	12 sh.

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Item on the fyft the Laird of Fentries man qucho brocht my Lord ane halk,[1] . . .	29 sh.
More that sam day to Lokkie, . . .	19 sh.
More to James going to Dundie to Fentrie, . .	26 sh. 8 d.
Item on the seventh of July to George Nerne, .	20 lib.
On that same day to William Mercer qucho had given to my Lord shutting the second tym at the silver arrow at the butts, ...	12 sh.
More to Ammer that efternoon, . . .	3 sh.
More to the stabler, ...	9 lib.
More to my Lord, ...	4 sh.
Item on the same day to the Stewart of the Colledg for furnishing my Lords chamber: this time he did eat in his chamber, ...	3 lib. 16 sh.
More for ane old compt befor the month of Aprill, .	57 sh. 4d.
More to Jane Merchant for four ells and one quarter blak fries for lyning my Lords clok, . .	7 lib. 2 sh.
More ane duzain of butons, ...	2 sh. 4 d.
More two drap blak silk, ...	4 sh.
Item thre quarters bukrome, . . .	9 sh.
Item four douzain blak silk butons, . . .	10 sh. 8 d.
More to the precentor in the Colledg his collectioun,	24 sh.
More to James Petts dochter for my Lords brakfasts that week, ...	12 sh.
To the poor, ...	2 sh.
Item the eicht of July for ane gigot of muton for collops, ...	6 sh. 8 d.
Item for buttar, ...	2 sh. 8 d.
Item the nynthe of July at brakfast, efter the archerie, with my Lord Sutherland,[2] and Randirstane, .	12 sh.
Item to my Lord that day, ...	20 sh.
More for treuffs for laiying in the fleur qucher my Lords halk was keipt, ...	3 sh.

[1] David Graham of Fintry, one of Montrose's curators.

[2] See *supra*, p. 119. A brother of Sir James and Sir Andrew Balfour was called Michael Balfour of Randerstane.—*Mem. Bal.* See p. 161.

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More to ane scoller qucho wretts my Lords nots in the scooll, ...	29 sh.
Item to the brewir for the Colledge for ane compt of furnishing my Lords chamber befor the month of Aprill, ...	4 lib. 5 sh. 8 d.
More to the post qucho got ane contribution in the Colledg to help him to by ane horse, given at my Lords directioun, ...	24 sh.
Item given to my Lord 10 and 11 of July, . .	22 sh.
Item on tuelt of July for my Lords brakfast and uther extraordinars in my Lords chamber that week, .	28 sh.
Item 13 of July to the gardiner of the College, .	12 sh.
More to the poor that week, . . .	4 sh.
More to ane Ammer, ...	6 sh.
Item 17 of July to ane servant of the laird of Morphie, ...	12 sh.
Item to ane falconer recommendit to my Lord by my Lord Colvill,[1]	12 sh.
Item 18 of July, my Lord being to shut at the silair [arrow], befor he went to the fields, at dennir,	6 sh.
More to the producer of the arrow, . . .	18 sh.
More to ane boy for carrying his quaivir, . .	2 sh.
More to the Ammer at nicht, . . .	8 sh.
More for my Lords losse in a partie efter the arrow was wone, ...	16 sh.
More the drummer and piperer of the toun, . .	40 sh.
More efter the supper given by my Lord to the rest of the Archers, the wyn and comfitts, . .	6 lib. 3 sh.
Item 19 of July for ane paire of gloves to my Lord,	20 sh.
More for my Lords brakfast and collatioun that week,	28 sh.
More to the poor, 20 of July, . .	2 sh.
Item 21 to ane Ammer, and one for bearing my Lords quaiver, ...	3 sh.
Item 23 for sum milk at four-hours, . . .	4 sh.

[1] James second Lord Colvill of Culross, whose father and Montrose were sister's children.

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Item 25 to ane boy for bearing my Lords quaiver, and royall Ammer,	3 sh.
Item for candell,	4 sh. 4 d.
Item 26 for pouder,	4 sh.
Item for my Lords brakfast and collatioun that week,	30 sh.
More to the poor,	2 sh.
More to ane Ammer,	2 sh.
Item 29 to ane boy carying ane letter to Edinburgh from my Lord,	7 sh.
Item the last of July to ane Ammer,	2 sh.
More taking off my Lords heare,	10 sh.
More to my Lord Sutherlands man at my Lords directioun,	6 sh.
More to Jhone Græms man qucho brocht from Edinburgh my Lords cap and mutches, staying two nicht in St Andrews, at his returning,	19 sh.
More to ane boy qucho brocht my Lord ane horse from Robert Græme to be seen,	12 sh.
Item 2 of August for my Lords brakfast and uther extraordinars in his chamber that week,	37 sh.
More to the poor,	2 sh.
Item for pellet boills,	2 sh.
Item 3 of August to ane barber for cutting my Lords hear again,	6 sh.
Item payed for the hyre of two horses, one to follow my Lord quchen the nobell men wer in St Andrews befor Cupar races, the uther on the day of the race,	48 sh.
Item to James Pets [dochter] for furnishing my Lords chamber, and for his brakfast and supper the day he went to Cupar race,	3 lib. 10 sh.
Item for ane bow of draff and firlot of brane to the gray horse befor he went to the market,	28 sh.
More for four ells of clothe to be a sheet for my Lords horse	32 sh.
More for ane hyred kist,	13 sh. 8 d.

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Item to the landerer,	8 lib. 12 sh.
Item 5 of August for thre fouls for my Lords halk,	12 sh.
More to the Oeconomus for beef to the halk,	20 sh.
More given to my Lord that day,	47 sh.
Item the Cook and his boy for ther service in my Lords sicknes,	34 sh.
More to him for sum muton for my Lords brakfast,	6 sh. 8 d.
Item to James Pett for furnishing my Lord in bows and arrows and clubs that year,	7 lib. 8 sh.
More to ane taillor for service done to my Lord that year,	10 lib. 2 sh.
Item to the landerer for hir service that year,	11 lib. 16 sh.
More for ane pair of hoes to my Lord,	29 sh.
More to John Meuros for two weeks wages from 22 of July,	46 sh. 8 d.
Item to the Oeconomus for the rests of my Lords boord in the second quarter,	5 lib. 9 sh.
More to him for my Lords dyet fyve days of August,	5 lib. 8 sh. 8 d.
Item 6 of August to my Lords Regent,	20 lib.
More for brakfast that day, and ane pynt of wyne at my Lords going to horse that day,	45 sh.
More to the porter of the College,	14 sh.
Item to ane fellow for helping to transport the trunks and furniture of the chamber out of the College,	6 sh.
Item to the stabler for my Lords horse standing from the 22 of July to the 6 of August,	32 sh.
More to the poor at my Lords taking horse,	4 sh.
Item for thre horses to the ferrie,	30 sh.
More for the hyre of ane boat at the ferrie,	28 sh.
Item 7 of August to the servants at Fentries house,	58 sh.
More for my Lords horse that nicht and morning,	8 sh.
Item to Jhone Meuros,	4 sh.
Item to the poor at the port of Dundie,	4 sh.
Item the eicht of August to ane boy who brocht ane letter from the laird of Orchill to my Lord,	6 sh.
More to my Lord playing at cards there,	30 sh.

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Item 10 of August given to the poor at the kirk .	6 sh.
More for ane boy to goe to Montrose for horses, .	6 sh.
Item 12 of August given to the servants in Claverhouse, ...	42 sh.
More to sum poor there, ...	2 sh.
Item 13 of August to the servants in Bointoun, .	58 sh.
Item 14 of August to my Lord at cards in Morphie, .	12 sh.
More to the poor at the gate, ...	2 sh.
Item 16 day to the poor at the gate of Kinnard,[1] .	4 sh.
Item 17 day to the poor at the kirk, . .	6 sh.
Item 19 day to ane boy qucho carryed sum letters from my Lord to the laird of Claverhouse .	6 sh.
Item 24 of August to the poor at the kirk, . .	4 sh.
Item 25 day to the servants in Morphie, . .	5 lb. 16 sh.
Item given to my Lord there, . . .	58 sh.
Item for shoes to the brown horse, . . .	12 sh.
Item 26 to ane boy of my Lord of Wigtoun, .	12 sh.
Item given to John Meuros sent by my Lord to St Andrews, ...	12 sh.
Item for ane pair of sterrip-lathers to my Lords saddell,	12 sh.
Item 27 to the poor at the kirk of the Mains, .	6 sh.
Item 28 given to Alexander Bruce, . . .	12 sh.
More given for ane saddell stock . . .	3 lib.
Item for sterrip-lathers, and sterrip-yrons, . .	24 sh.
Item for ane pair of girds, ...	10 sh.
Item for bootts, shoes, and mules to my lord, and drink-silver, ...	9 lib. 13 sh. 4 d.
Item 29 of August to ane servant of the lard of Claverhouse, ...	16 sh.
Item at the passage of the ferrie at Perthe,[2] . .	14 sh.

[1] This is the first indication, in these accounts, of Montrose having been at the house whence he got his bride in the following year.

[2] In the very curious old poem by William Lithgow, quoted *supra*, p. 103, viz. the Muse of Scotland's Welcome to Charles I. in 1633, the fact is mentioned that the bridge at Perth had been twice swept away sometime prior to that date. Among the Muse's suggestions to his Majesty is that of building a bridge there; and it would

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Item to Jhone Meuros that day, . . .	2 sh. 8 d.
Item for ane pair of foot-hose for my Lord, . .	36 sh.
Item the boy qucho come with horses from Montrois to Balgoun, ...	6 sh.
Item the last of August given to my Lord in Balgoun,	15 sh.
Item to the poor at the Kirk of Morphie, . .	8 sh.
Item the first of September to the servants in Balgoun,	3 lib. 2 sh.
Item ane servant of Balgoun qucho had keipt ane halk which my Lord got from Balgoun,[1] . .	19 sh.
Item to the poor at the gate there, . . .	2 sh.
Item for removing my Lords horse, . . .	4 sh.
Item in Inshbrakie 2 of September to ane boy qucho brocht sum fruitt to my Lord from Cultoquchay,[2]	10 sh.
Item 3 of September to the servants in Inshbrakie, .	58 sh.
Item 5 of September given to the servants in Gleneages,	3 lib. 2 sh.
Item 7 to the poor at Blackfoord Kirk, . .	8 sh.
Item the 8 day to the servants in Orchill, . .	3 lib. 6 sh. 8 d.
Item in Braco 10 of September to ane boy of the laird of Lusse, ...	12 sh.

seem, from the above item in Montrose's accounts, that there was no bridge at Perth in the month of August 1628.

'What should I speake of Perthe's outrageous Tay
That shortly *twyse* hath tane her bridge away,
But wayle the losse that towne receiv'd thereby,
And for remead to thee, my Sovereign, cry.
O gracious Sir, cause build that bridge againe,
And flank each column with horn'd arches twaine;
The stones more long and larger than before,
The arches wyder, doubling on each shoare,
Which made more high and wyde, the struggling flood,
May calmly vent, and not prove half so rude,
For which good work, the country being eas'd,
Thou shall be prais'd, and God therein well pleas'd.'

[1] From the stock of three of Montrose's curators, and dearest friends and relatives, have sprung heroes not unworthy of himself. General Sir Charles Napier, the hero of Scinde, and his cousin-german Admiral Sir Charles Napier, the hero of the Tagus, are lineally descended from Montrose's curator, the first Lord Napier, and also from Montrose's father. Claverhouse was immortalised when 'in faint hussas the great Dundee expired.' The house of Balgown has derived no less glory from the hero of Barrosa—

'O hero of a race renown'd of old,
Whose war-cry oft has waked the battle-swell,
Since first distinguish'd in the onset bold,
Wild sounding when the Roman rampart fell!
By Wallace' side it rung the Southron's knell,
Alderne, Kilsythe, and Tibber own'd its fame,
Tummell's rude pass can of its terrors tell,
But ne'er from prouder field arose the name,
Than when wild Ronda learn'd the conquering shout of GRAEME!'

[2] Maxton of Cultoquhay in Stratherne.

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Item 14 day to the poor at Blackfoord, . .	4 sh.
Item 15 day to the servants in Braco, . .	3 lib. 16 sh.
Item given to my Lord that day, . . .	48 sh.
More to the poor, ...	2 sh.
Item for gloves brocht from Perthe to my Lord, .	22 sh.
Item in Carnock 16 day for shoes to the gray horse, .	16 sh.
More given to my Lord that day, . . .	12 sh.
Item 17 day, my Lord having seen the house of Erthe, to ane servant qucho opened the doors, .	20 sh.
Item to the masons and workmen in Elphingston, .	58 sh.
Item 18 day to the servants in Carnok, . .	4 lib. 7 sh.
Item to the nurrice, ...	30 sh.
Item 19 day given to my Lord at cards in Cumernald,	30 sh.
Item to ane servant at Carnoks for his horse with the grathe to Cumernald, ...	7 sh.
Item 23 day to the servants in Cumernald, . .	5 lib. 16 sh.
Item to the boy going before my Lord to Dunglas and Cumernald, ...	4 sh.
More to ane honest man qucho come to my Lord by the way, ...	6 sh.
Item 24 given to my Lord playing at cards, .	43 sh.
Item 28 given to my Lord again, . . .	30 sh.
Item 29 for gloves to my Lord, . . .	42 sh.
Item for gloves, marsks, and carquans[1] to my Lords sisters, ...	7 lib. 12 sh.
Item to sum poor that day, ...	2 sh.
Item my Lord having been in the castell of Dumbarton, to the porter ther, ...	58 sh.
Item 28 to the poor at the kirk, . . .	6 sh.
Item 29 given to my Lord, ...	30 sh.
Item for paper, ...	5 sh.
Item to Jhone Meuros sent to Glasco, : .	4 sh.

[1] "I'll give thee chains and carkanets
Of primroses and violets,
If thou wilt love and live with me."—HERRICK.

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Item for helping my Lords wchinger,	6 sh.
Item given to Jhone Meuros to buy him shoes,	24 sh.
Item the last of September to four shoes to the gray horse,	4 sh.
Item 1 of October to taillor qucho brocht my Lord cloths,	18 sh.
Item 2 for showing my Lords horse,	16 sh.
Item the 4 day to ane boy of the laird of Ardochs[1] qucho brocht sum pears to my Lord,	6 sh.
Item the fyft day to the poor at the kirk,	6 sh.
Item 6 given to my Lord,	12 sh.
Item 7 crossing Leomen to the ferrie-man,	6 sh.
Item 8 given to the keeper of Inchmirron,	30 sh.
Item crossing Leomen again,	6 sh.
Item 10 day given to my Lord at cards,	24 sh.
Item 11 day to my Lord,	19 sh.
Item 12 to the poor at the kirk,	6 sh.
Item for stabling my Lords horse at the kirk on Sabbath, and corne one day,	8 sh.
Item for ane shoe to my Lords horse,	4 sh.
Item for ane pair of shoes to my Lord,	32 sh.
Item 14 day given to my Lord,	14 sh.
Item to ane poor man,	1 sh.
Item to John Grœms man qucho brocht sum letters to my Lord from Edinburgh,	16 sh.
Item to ane uther boy coming from Kinkardin,	2 sh.
Item 16 for my Lords horse and boys in Erskin a nicht,	18 sh.
Item 17 to my Lord at cards,	30 sh.
Item for strings to my Lords bands,	12 sh.
Item 18 day to the (poor) at Glasco bridge,	4 sh.

[1] Stirling of Ardoch. Baillie, when narrating with ridiculous complacency some of the tyrannical proceedings of the clerical Inquisition of 1643, says:—"Ardoch, an old reverend gentleman, for his former known zeal, was spared; only was urged upon oath to reveal the persons from whom he had the reasons contrary to the warning."—*Letters and Journals*, ii. 92.

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Item to sum violers at denner,	30 sh.
Item for the horses stabling and corne,	10 sh.
Item 19 to the poor at the kirk of Dumbarton,	6 sh.
Item for stabling the horses,	16 d.
Item 20 to the laird of Hustons man qucho come with ane letter to my Lord,	4 sh. 6 d.
Item 21 given in Dunglas to the servants there,	8 lib. 10 sh.
Item to the nurrice there,	58 sh.
Item 22 at Cumernald to ane carriage-man going from thence to Braco,	6 sh.
Item 23 to the servants there,	5 lib. 16 sh.
Item in Stirling at nicht to Jugler,	30 sh.
Item for four horses corne and straw, 23, 24, and 25 in the morning, and the carriage-mans wages that tyme,	3 lib. 8 sh.
Item to the poor the 6 day,	3 sh.
Item the 7 day to the brode at kirk dore,	12 sh.
Item to other poor,	4 sh.
Item to ane boy going with letters from my Lord to Inchbrakie and Balgoun from Stirling,	6 sh.
Item to thre horses corne and straw, 25, 26, and 27,	46 sh.
Item to Jhone Meuros his wages these four days,	16 sh.
Item 27 to the poor my Lord taking horse,	3 sh.
Item to the servants in the laird of Duncrubs house,	4 lib. 18 sh.
Item given to my Lord in Drumfad 28 day,	30 sh.
Item 29 to the poor at Kinkardin,	3 sh.
Item for removing my Lords horses,	8 sh.
Item given to William Græme officer,	6 lib. 13 sh. 4 d.
Item 29 given to my Lord in Orchill,	34 sh. 6 d.
Item to the servants ther the last day of October,	3 lib.
Item the first of November to ane boy going to Braco out of Drumfad to give advertisment of my Lords stay,	2 sh.
Item given to my Lord that nicht in Drumfad,	18 sh.
Item 2 day given for ane shoe to my Lords horse at Braco,	4 sh.

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Item 3 day given to the servants in Braco,	4 lib. 7 sh.
Item 4 day to the servants in Orchill,	58 sh.
Item 5 to the servants in Carnok,	58 sh.
Item in St Andrews the saxt day of November 1628 for my Lords supper in William Geddes his house before his entrie in the College,	4 lib. 4 sh.
Item for ane drap-wacht of silk,	2 sh.
Item to the two carriage-men that come with the grathe,	4 sh.
Item my Lords entering that day in the College, given to the table ane pynt of wyn-sak,	26 sh. 8 d.
Item efternoon for my Lords lose at the golfe,	10 sh.
Item the 8 day given to my Lord,	100 lib.
Item for his boord at the College,	90 lib.
Item to his Regent,	26 lib. 13 sh. 4 d.
Item given to the stabler for two horses standing on Weddensday at nicht and on Thyrsday and Fryday, and for cornes to my Lords horses befor the horse corne come in,	33 sh. 4 d.
Item for my Lords brakfasts and uthers extraordinars in his chamber that week,	16 sh.
Item for seven load of colls,	5 sh. 6 d.
Item for thre pounds of candell,	12 sh.
Item for new straw for the beddes,	6 sh. 8 d.
Item for ane paper-book to my Lord, and sum uther paper,	10 sh.
Item for takets for putting up the curtanes,	4 sh.
Item for transporting the trunes and bedding to the College,	4 sh.
Item to Jhone Meuros his wages from the first day to the eicht at nicht,	17 sh. 4 d.
Item the 12 day for marking sax sark for my Lord, and stringing therto,	26 sh. 6 d.
Item the fyftyne day to Jhone Meuros his wages that week,	23 sh. 4 d.

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Item for thre pound of candell, . . .	12 sh.
Item for helping my Lords brakfasts and uther extraordinars in his chamber at four hours, and collation that week, ...	24 sh.
Item given to the poor that week, . . .	7 sh.
Item to the boy qucho carried my Lords clubs to the fields, ...	3 sh.
Item 20 day for ane duzane of load of colls, .	4 lib. 8 sh.
Item 22 for my Lords brakfasts and uther extraordinars that week, ...	25 sh.
Item to the post, having carried letters and brocht bak from Edinburgh ane hat to my Lord, . .	10 sh.
Item to Jhone Meuros for his wages, . . .	23 sh. 4 d.
Item to the poor, and boys who carrjed my Lords clubs that week, ...	8 sh.
Item 26 day for ane pound of candell, . .	4 sh.
Item 29 for extraordinars that week, . .	26 sh.
Item to Jhone Meuros, ...	23 sh. 4 d.
Item to the poor that week, ...	6 sh.
Item for ane pound of candell, . . .	4 sh.
Item December 3 for mending ane pair of spurs to my Lord, ...	4 sh.
Item for helping two pair of shoes, . . .	6 sh.
Item 6 day for my Lords brakfast and uther extraordinars that week, my Lord having dined in his chamber, and sum gentlemen with him one day, .	37 sh.
Item to Jhone Meuros his wages, . . .	23 sh. 4 d.
Item the eleventh day to the post having carryed a letter to Edinburgh, and bringing back my Lords rewffs and girdell, ...	22 sh.
Item for eleven pound of candell, ...	45 sh.
Item for mending ane stool, . . .	10 sh.
Item to Lokkie, ...	12 sh.
Item 13 day for extraordinars that week, . .	24 sh.
Item to Jhone Meuros, ...	23 sh. 4 d.
Item 20 day for half ane steane of candell, . .	4 sh.

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Item to Jhone Meuros his wages, . . .	23 sh. 4 d.
Item for brakfast and extraordinars that week, .	26 sh.
Item 21 to the poor, ...	40 sh.
Item 22 for two pair of shoes to my Lord, . .	53 sh. 4 d.
Item for dressing his meules, . . .	13 sh. 4 d.
Item 24 for ane key to studie door, . . .	4 sh.
Item to the poor and boy qucho carried my Lords clubs that week, ...	8 sh.
Item 27 for extraordinars that week, . .	25 sh.
Item for 6 load of colls, ...	44 sh.
Item to Jhone Meuros, ...	23 sh. 4 d.
Item drinksilver to the boys that patt on my Lords shoes, and dressing his boots, . . .	12 sh.
Item January 1 [1629], my Lord being in Bacarras, to the Stewart and his man cuming to my Lords chamber in the morning with ane drink to my Lord, being New-year day, ...	58 sh.
Item for helping the loker of my Lords saddell, .	2 sh.
Item 3 day my Lord cuming from Bacarras given to the servants ther, ...	5 lib. 16 sh.
Item to the poor at the geatt, . . .	2 sh.
Item given for two hyred horses from St Andrews to Bacarras, eichteen shilling, and thre days staying ther, thre marks, ...	58 sh.
Item to the boy, ...	3 sh.
Item to ane boy that cum from my Lady Duncrub [1] to my Lord with ane letter, . . .	10 sh.
Item to Jhone Meuros his wages that week, . .	23 sh. 4 d.
Item for extraordinars in the chamber that week, .	24 sh.
Item 4 day to ane wreicht for hinging my Lords bows in the chamber, ...	4 sh.
Item 5 day for sax load of colls, . . .	44 sh.
Item 10 day for extraordinars that week, . .	30 sh.
Item to the poor that week, ...	6 sh.

[1] The Lady Dorothea Graham, see *supra*, p. 91.

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Item to Jhone Meuros,	23 sh. 4 d.
Item 13 day for soupping the chemny,	12 sh.
Item for ane peint of beer,	4 sh.
Item 16 day ane pound and half of candell,	6 sh.
Item 17 day for extraordinars that week,	27 sh.
Item to Jhone Meuros,	23 sh. 4 d.
Item to the poor that week,	6 sh.
Item 19 to Lokie,[1]	6 sh.
Item 20 day for thre cups,	12 sh.
Item half ane steane of candell,	44 sh.
Item 24 for extraordinars that week,	32 sh.
Item to Jhone Meuros,	23 sh. 4 d.
Item to the poor and the boys,	8 sh.
Item 26 for dressing two pairs of shoes,	5 sh.
Item the last of January for extraordinars that week,	30 sh.
Item to Jhone Meuros,	23 sh. 4 d.
Item to the poor that week,	8 sh.
Item for two load of colls,	44 sh.
Item 2 of February for wax,	10 sh.
Item for *Meditationes Gerardi*,[2]	14 sh.
Item 7 day for silk to my Lords clothes,	2 sh.
Item for clasps,	4 sh.
Item for extraordinars that week,	26 sh.
Item to Jhone Meuros,	23 sh. 4 d.
Item to the poor,	6 sh. 8 d.
Item to ane servant of my Lord of Wigtouns[3] coming to St Andrews with ane letter to my Lord,	12 sh.
Item fourtein day for extraordinars,	36 sh.
Item to the poor that week,	8 sh.
Item half ane stean of candell,	40 sh.
Item to Jhone Meuros,	23 sh. 4 d.
Item 6 day for ane paper book to my Lord,	12 sh.

[1] There are various items to "Lokie" or "Lokkie" in these accounts; probably some old woman about the chambers, Lokie meaning *Lucky*.

[2] See *supra*, p. 124.

[3] See *supra*, p. 109.

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Item for sum uther paper,	5 sh.
Item for 6 load of colls,	44 sh.
Item for ane brydell to my Lords hors,	18 sh.
Item for girds,	12 sh.
Item for shoeing my Lords horse,	24 sh.
Item 21 for ane key to my Lords coffer,	4 sh.
Item for mending the studie door lock,	3 sh.
Item for extraordinars that week,	37 sh.
Item to the poor,	8 sh. 6d.
Item to Jhone Meuros, having run to the west, four shilling daylie,	28 sh.
Item to the stabler for stabling my Lords horse, and furnishing straw ane quarter of yeer,	4 lib. 10 sh.
Item to the landerer for washing ane quarter,	5 lib.
Item 23 for ane key, and mending my Lords quaver,	4 sh.
Item 24 to sum carriage-men coming from Montrois with sum poultrie, to pay the fracht,	6 sh.
Item the penult day to ane boy going with letters to Stratherne from my Lord,	16 sh.
Item the last of February for extraordinars that week,	36 sh.
Item to Jhone Meuros, having been also all the week running,	28 sh.
Item to the poor,	6 sh.
Item the first of March to ane boy qucho brocht ane wild-gouse and sum fishes to my Lord,	12 sh.
Item to those qucho brocht oats for my Lords horses,	4 sh.
Item to Lokie,	6 sh.
Item 2 of Marche my Lord having supped in his chamber, and the rest of the Lords with him, for bear,	12 sh.
Item for bread and ell,	13 sh. 4 d.
Item to the cook for butter,	5 sh.
Item for raisins,	12 sh.
Item 6 load of colls,	44 sh.
Item 3 of Marche to the stabler for ane forlit of oats, and half peak,	36 sh.

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Item to Jhone Pet for to bring arrows from London to my Lord,	11 lib. 12 sh.
Item for stocking two roffes to my Lord,	13 sh.
Item the third of March for my Lords brakfast taking journie to Edinburgh, and sum uther extraordinars the thre former days of the week,	20 sh.
Item for thre hirit horses from St Andrews to Bruntilling,	4 lib. 10 sh.
Item to the boys be the way, and in Bruntilling,	4 sh. 6 d.
Item for my Lord's dinner in Bruntilling,	51 sh.
Item to the poor that day,	7 sh.
Item for the frauchting of a boat at the ferrie,	42 sh.
Item for careing the grath from Leeth to Edinburgh,	6 sh.
Item the fourth day to the drummer in Edinburgh,	18 sh.
Item for some[1] paper,	2 sh. 6 d.
Item the seventh day to the poor at the Abbie yeat,	4 sh.
Item the ninth day to the poor,	4 sh.
Item to my Lord Chanclers coachman for driving the coch with my Lord to my Lord Monteith[2] his lodging,	24 sh.
Item for a pair of gilt spurres to my Lord,	3 lib.
Item for dichting his sword,	20 sh.
Item for a paire of bouits to my Lord,	6 lib. 13 sh.
Item drink-silver to the boy that put them on,	9 sh.
Item for two combes,	12 sh.
Item for a pair of waxt bouits,	7 lib.
Item for two pair of shoone,	3 lib
Item to the shoemakers man,	8 sh.
Item givene to ane dwarffe begging from my Lord at his chalmer doore,	18 sh.
Item for my Lords dyet in Edinburgh from the (third)	

[1] The orthography is very various in these accounts, which might be supposed to arise from careless printing. The word 'some' here spelt in the usual way, is previously written 'sum;' and in the last item of the page, a sum of money being meant, it is written 'some.'

[2] See *supra*, p. 104; and *infra*, p. 250.

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day at nicht to the tenth furnished by the cook amounting to the some	22 lib. 1 sh.
Item more for four hennes, ...	48 sh.
Item for some sweet pasts, ...	18 sh.
Item for colls in my Lords chalmer, . . .	3 lib.
Item for chalmer-meal[1] seven nichts, . .	8 lib. 8 sh.
Item to the servant woman in the house, . .	12 sh.
Item for four pound of candle, ...	16 sh.
Item for wine, aile, and beare, goten out of the tavern the saids space, ...	6 lib. 15 sh.
Item for my Lords brakfast the day of his parting from Edinburgh, ...	28 sh. 8 d.
Item for my Lords horse, corne, and straw, . .	51 sh.
Item to the poor, my Lord taking coch, . .	4 sh.
Item for caring the grath to Leeth, . . .	8 sh.
Item to some poor ther, ...	3 sh.
Item to my Lord Nepers cochmane, . . .	3 lib. 6 sh. 8 d.
Item to the footman, ...	24 sh.
Item for balls in the tinnes court of Leth, . .	16 sh.
Item for two goffe balls, my Lord going to the goffe ther, ...	10 sh.
Item the eleventh day for my Lords horse standing in Leeth that nicht, in corne and straw, . .	7 sh. 8 d.
Item for my Lords supper and brakfast in Leith, .	6 lib. 13 sh. 4 d.
Item to the servant woman in the house, . .	12 sh.
Item for caring the grath to the boat, . .	3 sh.
Item to the poor, ...	4 sh.
Item for the boats fraucht, ...	46 sh.
Item for my Lords dinner in Bruntilling, . .	48 sh.
Item the twelff day for my Lords supper and brakfast in Bruntilling, ...	3 lib. 2 sh.
Item to the servants in the house, . .	10 sh.
Item for my Lords horse, ...	8 sh. 8 d.
Item to the poore, my Lord taking horse, . .	4 sh.

[1] *i. e.* Chamber-mail, the rent of his lodgings.

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Item to the poor by the way,	2 sh.
Item for ane hirit horse for the grath, and unto the boy,	42 sh.
Item for two other herit horses,	3 lib. 2 sh.
Item after my Lords lichting at St Andrews, at dinner in his chalmer,	12 sh. 4 d.
Item the threteen day for an ell and an half of ribbing to my Lords shoes,	10 sh.
Item the fourth-teen day for extraordinars in the chalmer, these thre days of that week:	
First, two points of aille at twentie pennies the point,	3 sh. 4 d.
Item three chapens of small ell,	1 sh. 3 d.
Item two loaves,	2 sh.
Item a dish of bread and milk,	4 sh.
Item four eggs,	8 d.
Item to Jhone Mowris four dayes wages,	13 sh. 4 d.
Item the syxtene day for an precept of warning,	12 sh.
Item for dressing four cheares,	3 lib. 6 sh. 8 d.
Item for putting an bottome of timber in one of them,	6 sh.
Item the twentie-one day for extraordinars in the chalmer that week:	
First, nyne points and a cheapen of aile,	15 sh. 10 d.
Item thre bread,	3 sh.
Item one oat loave,	10 d.
Item an point of beare,	4 sh.
Item thre points and a cheapen of small ell,	2 sh. 11 d.
Item given to my Lords horse that week, being under dyet, twelfe oat bread,	10 sh.
Item given to the horse two points of aile,	3 sh. 4 d.
Item given to ane boy for taking an panne out of the wall,	1 sh.
Item to Jhon Mowris his wages that week,	23 sh. 4 d.
Item to the poor that week, three preaching dayes, and to the brod,	7 sh.

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Item to ane boy amring[1] to my Lord that day. .	1 sh. 4 d.
Item for syx load of coalles, ...	44 sh.
Item the twentie-three day to the post bringing letters from Edinburgh to my Lord from the laird of Lusse,	6 sh.
Item the twentie-five day for dressing my Lords saddil and making an covering to it, . . .	23 sh. 4 d.
Item the twentie-syx day to ane boy for having a dogge to the laird of Orchill from my Lord, .	10 sh.
Item for dressing a pair of my Lords shoes, . .	3 sh.
Item for an pen-ink horne to my Lords use, . .	5 sh.
Item the twentie-ocht day to my Lords horse given an pointe of ail, ...	[blank]
Item to extraordinars in my Lords chalmer; first, ocht points and a halfe of aile, . . .	16 sh. 2 d.
Item three bread, ...	3 sh.
Item an oat bread, ...	10 d.
Item tenne egges, ...	1 sh. 8 d.
Item, four points of small ell, . . .	3 sh. 4 d.
Item an loaf to my Lords horse, . . .	10 d.
Item given to the poor that week at the kirk door, .	7 sh.
Item to some other poore, ...	3 sh.
Item to Jhon Mowris[2] his wages that week, . .	23 sh. 4 d.
Item for ocht pound of candle, . . .	37 sh. 4 d.
Item the penult of March, my Lord going to Master William Eskine his buriall, for two hirit horse, .	16 sh.
Item to an tailliour his man quho brocht from Edinburgh an soot of clos to my Lord, . .	29 sh.
Item the fourth of Aprille given to the poor that week at the kirk dore, preaching having been daly befor the communion, ...	17 sh.
Item to Jhon Mowris his wages this week, . .	23 sh. 4 d.

[1] Meaning the occupation of the boy called 'the Ammer,' which may possibly be a corruption of *Admiral*, to designate the marker who bore the signal-flag at the archery.

[2] John *Mowris*, whose name is previously written *Mewros* in the accounts, was Montrose's running footman.

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Item to the cook for sum butter for dressing of some fishes quich come from Stratherne, two pounds of butter,	10 sh. 8 d.
Item spent in the chalmer that week,	16 sh. 8 d.
Item fine bread,	5 sh.
Item four points of small ail,	3 sh. 4 d.
Item ocht egges,	1 sh. 4 d.
Item two oat bread,	1 sh. 8 d.
Item the syxt day for two precepts of warning,	24 sh.
Item the seventh day to the post bringing from Edinburgh to my Lord, stockings, boot-hose-tops, and a belt,	10 sh.
Item the tenth day for some bucrisse to dresse an pair of boot-hose,	3 sh. 4 d.
Item the eleventh day to Jhone Mowris, having roon al that week, and crossit the ferrie twyce,	36 sh.
Item to the brod at the church dore that week on peace sunday, and other two preaching dayes,	16 sh.
Item to some other poore in the toune,	2 sh. 8 d.
Item extraordinars that week, four points of aille,	6 sh. 8 d.
Item thre points and a cheapen of small aille,	2 sh. 11 d.
Item three bread,	3 sh.
Item two oat bread,	1 sh. 8 d.
Item ocht egges,	1 sh. 4 d.
Item for an colloppe to the supp at brakfast,	6 sh. 8 d.
Item to my Lords horse that week two points of alle,	3 sh. 4 d.
Item to a gruehound, three oat bread,	2 sh. 6 d.
Item the threetene day for some paper,	5 sh.
Item the syxteen day for a pair of shoes to my Lord,	29 sh.
Item the ochtene day to Jhon Mowris,	23 sh. 4 d.
Item given to the poor that week thre dayes at the kirk[1] dore,	6 sh.
Item to some other poor in the toune,	2 sh.

[1] Mr John Lambye writes it 'kirk' and 'church' indiscriminately; and his orthography of the most simple words is various.

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Item to a wricht for amending a table,	6 sh.
Item spent in extraordinars that week; first, ocht points of aill,	13 sh. 4 d.
Item thre points and a cheapen of small aill,	2 sh. 11 d.
Item four bread,	4 sh.
Item two oat bread,	1 sh. 8 d.
Item for a collop to the suppe at brakfast,	6 sh. 8 d.
Item two dish of milk and bread,	8 sh.
Item two egges,	4 d.
Item that nicht, my Lord having been at hunting, for a henne to his supper,	6 sh. 8 d.
Item a point of ail to his horse after the hunting,	1 sh. 8 d.
Item the twentie day for a pair of strip-lathers to my Lords saddle,	12 sh.
Item for some points to the sadle covring,	11 sh. 4 d.
Item ochteen laid of colls,	6 lib. 12 sh.
Item to my Lords Regent,	26 lib. 13 sh. 4 d.
Item twentie two, for two horses to Cupper race,	35 sh.
Item that day, my Lord being in Darsie, to a servant keeping the kirke dore,	12 sh.
Item for a quarre of paper,	4 sh.
Item for half a quarre of gilt paper,	6 sh.
Item to Lockie,	6 sh.
Item the twentie-five day, to Jhone Mowris his wages that week,	23 sh. 4d.
Item to the poor that week at the kirk dore,	7 sh.
Item to some other (poor) in the towne,	3 sh.
Item extraordinars in chalmer that week; first, seven points of alle,	11 sh. 8 d.
Item an point of small aill,	10 d.
Item three bread and a halfe,	3 sh. 8 d.
Item two oat bread,	1 sh. 8 d.
Item my Lord having suppit in chalmer on Weddensday at nicht for ane henne,	6 sh. 8 d.
Item fourteen egges,	2 sh. 4 d.
Item for a collope to the suppe,	6 sh. 8 d.

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Item for removing my Lords horse shoes, . .	6 sh.
Item given the second quarter bourd, . .	90 lib.
Item the twentie seventh day, my Lord being to ryd to Kinkarne, for the brakfast, and collation the nicht befor, ...	12 sh. 4 d.
Item in Newbruch at dinner, and for the boyes and horses, ...	40 sh.
Item the twentie ocht day to the servants in Garrock,	58 sh.
Item to some poor at the yeat of Kinkarne, . .	2 sh.
Item the last day of April to the servants in Braco, .	58 sh.
Item the first of May to the servants in Orchill, .	3 lib. 6 sh. 8 d.
Item that day in Drumfold for a quart of wine the day, and nicht befor, ...	30 sh.
Item in Newtoune, my Lord dining ther, given to two pipers, ...	12 sh.
Item at nicht for my Lords supper at St Andrews, .	46 sh.
Item for two hirit horse the first day, . .	3 lib.
Item five days therefter, a mark daly, . .	3 lib. 6 sh. 8 d.
Item the boy, ...	4 sh
Item May 3 to Meuros his wages that week, . .	23 sh. 4 d.
Item the thrid of May to ane boy bringing a letter from the laird of Claverhouse to my Lord, . .	3 sh
Item the ninth of May, my Lord going to hunting with my Lord Lyndsay,[1] for brakfast, . .	9 sh.

[1] This was John tenth Lord Lindsay of Byres. His patent as Earl of Lindsay was made out in 1633, but withheld in consequence of his joining the Rothes and Balmerino faction. He obtained it, however, in 1641, when Charles was reduced to reward his enemies. Thereafter, he most unfairly obtained the Earldom of Crawford, upon the forfeiture, by the usurping government of Scotland, of the loyal Ludovick Earl of Crawford, and so came to be designed Earl of Lindsay Crawford. How he had earned *both* Earldoms (for in 1641 the King was a cypher) the following documents may suffice to show. When Montrose was with the covenanting army on the Borders, in the month of July, 1640, he was privately urged to sign a bond which was to secure to Argyle a *Dictatorship* in Scotland. Montrose indignantly refused, and instantly posted to Edinburgh to learn what it meant. A conversation there with his old hunting friend Lord Lindsay, and other concurring circumstances, confirmed his worst suspicion as to the sinister designs of Argyle. Montrose immediately got up his famous *Cumbernauld Bond*, which see *infra*, p. 254. When this counter-plot was defeated, our hero, being compelled to give up some of his authorities for the alleged sinister designs of Argyle, named Lord Lindsay, who denied the fact. The Committee of Estates, alarmed for their partisan,

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Item that day my Lord being invitit by Sir Thomas Hoppe to his house, given to the mason theroff, .	5 lib. 16 sh.
Item at nicht for my Lords supper in William Gaddes,	47 sh.
Item for a hirit horse that day, . . .	12 sh.
Item to a boy carying a dogg from my Lord to Morphie, ...	4 sh.
Item to the stabler, ...	4 lib. 10 sh.
Item to the washer, ...	5 lib.
Item to the poor at the kirk dore that week, .	6 sh.
Item to some other poor, ...	2 sh.
Item to my Lords horse, after his hunting, a point of ail and a loafe, ...	2 sh. 8 d.
Item for seven oat bread to a gruehound, . .	5 sh. 10 d.
Item the syxteene day to an Ammer, . .	3 sh.

appointed a small committee to hear the statements of the two noblemen, and reconcile them if possible. Among the Wodrow MSS., vol. lxv., the original record has been preserved.

'4 Junij, 1641. In presence of the Earle of Cassillis, Lords Balmerino and Naper, conforme to the appointment of the Committee, the Earle of Montrose maid the declaration as follows: The Earle of Montrose declares that the Lord Lindsay falling with him upon a regraitt of the course of business in this country, and that some were crying up the Earle of Argyle too much, quherupon the Lord Lindsay answered that suche a man speaking to the same purpose told that the Romans, when ther affairs were at a low ebb or in distres, they maid choyse of one to be a *Dictator*, that the command mycht be in one mans persone, suche a one as had *command and power and following*, and declairs that to his Lordships memory the Lord Lindsay named the *Earle of Argyle* to be the man pointed at; bot, however, the haill drift of the discourse did infer so much as the Earle of Montrose did conceave the same.

'MONTROSE,

'Cassillis, Balmerino, Naper.'

On the same sheet with this original record of Montrose's declaration there is a draft of Lord Lindsay's, very much corrected and not signed by any one, in which he admits the conversation about the state of the country, and the necessity for a *Dictator*, for which also he admits having quoted Roman history, but denying that he had named Argyle, or meant that Argyle should be Dictator. *Credat Judæus.* That Argyle was meant there can be no question; for, previous to this, Montrose had been pressed to sign a bond to that effect; and, indeed, the whole history of the period proves that none but Argyle could have been pointed at by Lindsay. The Committee of Estates were quite conscious of this, but carefully avoided compromising Argyle. Their deliverance in the matter is characteristic.

'At Edinburgh, 7 June 1641. The Committee [of Estates] haiffing considderit the Erle of Montroise and the said Lord Lindsay ther declaratioumes, and haiffing compared them togidder, findis that as it is *possibill* the Erle of Montroise hes mistakin the Lord Lindsayis expressioums, so they find, by the words quhilks the Lord Lindsay *remembers*, and hes sett downe under his hand, that ther was no ground for the said misconceptioun.

'SIR A. GIBSONE, I. P. D.'

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Item to Lockie,	12 sh.
Item to the poor at the kirk dore that week,	23 sh.
Item twentie-one day to an Ammer,	3 sh.
Item the twentie-two day for a key to a quaver,	5 sh.
Item to an Ammer and a boy carrying my Lords quaver,	2 sh. 8 d.
Item my Lord having been at the Archerie, for his supper that nicht,	36 sh.
Item for two pair of gloves to my Lord,	14 sh.
Item to the poor that week at the kirk,	6 sh.
Item to som other poor,	3 sh. 4 d.
Item given to a boy caring my Lords quaver and bows that day,	1 sh.
Item the third of June for the last quarter bourd,	100 lib.
Item given to a boy quho brocht the contracts from Dundaffe to be subscribit,	4 sh.
Item for some bircks to the chalmer,	12 sh.
Item the syxt day to an Ammer, and a boy caring my Lords quaver,	2 sh. 8 d.
Item to the poor that week at the kirk,	7 sh.
Item the tenth day to the gardner bringing some flowers to the chalmer,	6 sh.
Item given to my Lord, at my going to Angus, thre dolors,	8 lib. 14 sh.
Item the eleventh day to an Ammer,	2 sh.
Item for binding Buchanan his works to my Lord,	12 sh.
Item to the poor that week at the kirk,	7 sh.
Item to some other poor,	3 sh.
Item 18 day to ane Ammer and boy carrying my Lords quaver,	3 sh.
Item to ane poor man wcho had ane testimonie from the kirk,	17 sh.
Item for dressing ane pair of my Lords shoes,	2 sh.
Item given that week to the poor,	7 sh.
Item 21 day given to Lokie hir collection,	12 sh.

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Item 22 my Lord being invited to Darsay by the Archbishope of St Andrews,[1] given for thre hired horses, ...	24 sh.
Item given to sum poor ther, . . .	4 sh.
Item given to the gardner ther, . . .	29 sh.
Item to the poor that week at the kirk, . .	7 sh.
Item to sum uther poor, ...	4 sh.
Item for putting lockers and tags to my Lords seddell,	8 sh.
Item the last of June to ane Ammer, . .	2 sh.
Item the first of July to ane boy of Balgowns carrying ane doge from my Lord to Balgown, . .	8 sh.
Item the secund day to ane auld man, called James Gellerd, and his wyfe, begging from my Lord at his chamber, ...	12 sh.
Item to the drummer of St Andrews proclaiming the silair arrow to be shott for, . . .	12 sh.
Item to the poor that week at the broad, . .	6 sh.
Item at the College gat, ...	4 sh.
Item to sum uther poor, ...	2 sh.
Item the fift of July given to ane servant of my Lord of Wigtouns cumming with ane letter to my Lord,	3 sh.
Item the nynthe day my Lord being to produce the silver arrow, for ane shoulder of muton to his brakfast,[2]	6 sh. 8 d.
Item at supper that nicht with the rest of the Archers depursed, besyde that wiche everie Archer gave,	5 lib. 8 sh.
Item to the Ammer that day, . . .	12 sh.
Item the tenthe day, efter the winning of the silver arrow, my Lord having dyned in the fields, and	

[1] Archbishop Spottiswood, see *supra*, p. 182.

[2] This item indicates that Montrose had gained the silver arrow; and the fact is proved by the recent discovery, at St Andrews College, of the silver arrow itself, with Montrose's medal attached to it. It is remarkable, that, until the Editor recently provoked inquiry and a search, it was not known that the College possessed such a relic; see *supra*, p. 118. At the conclusion of these accounts will be seen a perfect facsimile of the obverse and reverse of the medal, cut in wood from impressions taken off the medal itself, used as a copperplate. The arrow is drawn on the wrong side of the bow, but so is it on the medal.

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supped in William Geddes with the Archers, his Lordships losse[1] that day,	3 lib. 4 sh.
Item peying one partie lossed be the bower Jhone Maine, shooting on my Lords syde,	6 sh.
Item to the Ammer that day,	4 sh.
Item to ane poor man wcho had been ane Ammer, to wchom all the Archers did contribut,	6 sh.
Item given that day to the drummer and piperer for giving advertisement to the Archers these two days,	48 sh.
Item the eleventh day, my Lord having supped in his chamber, for ane shoulder of muton and ane henne,	13 sh. 8 d.
Item to the poor at the kirk door,	8 sh.
Item at the College gate on Sunday,	4 sh.
Item two quarre of paper,	8 sh.
Item for silk to dress my Lords clothes,	5 sh.
Item 12 day to the gardner of the College bringing sum flowers to my Lord,	6 sh.
Item 17 day to the peddell of the Universitie,	19 sh.
Item given to the poor that week on Sunday,	9 sh.
Item the uther preaching days,	5 sh.
Item given to my Lord going to meet with my Lord Sinkler,[2]	58 sh.

[1] By *losse*, Mr John Lambye probably means that which the day's proceedings had cost the young nobleman; or, as we might now say, *the damage*. Montrose appears to have again won the arrow upon this occasion.

[2] John sixth Lord Sinclair. He was two years older than Montrose, and is not very creditably connected with his history in after life. When the Argyle faction were endeavouring, by any means, to crush Montrose for his conservative conduct in 1640-1, Lord Sinclair was commissioned to go to his house of Old Montrose, while the proprietor, and his friends Napier and Keir, were imprisoned in the Castle of Edinburgh, and search for materials of accusation. Accordingly, this nobleman, says Bishop Guthrie, 'then more furious in the cause than afterwards,' broke open Montrose's cabinets, but 'found nothing therein belonging to the public affairs, only, instead thereof, he found some letters from ladies to Montrose in his younger years, flowered with Arcadian compliments, which being divulged, would possibly have met with a favourable construction, had it not been that the hatred carried to Montrose made them to be interpreted in the worse sense. The Lord Sinclair's employment having been only to search for papers of correspondence betwixt his Majesty and Montrose, in reference to public affairs, he was much

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Item given at my Lords direction to ane Frencheman, at his lauriation, to help to bear his charges,[1] .	10 lib.
Item 23 day for linnen to be stokins to my Lord, .	22 sh.
Item for clothe and strenzie for making clouts for the prik marks,[2]	16 sh.
Item for ane paire of gloves to my Lord, . .	20 sh.
Item the twentie-fyve day to the poor that week, thre days to the broad, ...	7 sh.
At the College gat, ...	4 sh.
Item for four paire of shoes to my Lord, . .	6 lib.
Item for bukells to ane pair of spurrs, . .	6 sh.
Item for ane paire of strip-irons, . . .	12 sh.
Item given to ane servant of the lard of Grange his bringing ane halk to my Lord, . . .	36 sh.
Item 27 day to ane Ammer, and boy for carrying my Lords quaver, ...	3 sh. 6d.
Item to ane barber for dressing my Lord, . .	12 sh.
Item for helping the lok of my Lords littell coffer, .	4 sh.
Item my Lord having keipt his chamber that nicht, for ane chopin of wyne, ...	7 sh.
Item to the poor that week at the kirk, . .	6 sh.
Item at the College gat on Sunday, . . .	4 sh.

blamed by men of honour and gallantry for publishing those letters, but the rigid sort had him in greater esteem for it.' (Guthry's Memoirs).

No such letters were printed at the time, and nothing whatever is known about them, except what is here stated. Bishop Guthrie can only mean that Lord Sinclair *publicly discoursed* of them. Arcadian compliments written by ladies to a boy, as Montrose must then have been, implies nothing very scandalous, though a scandalous use was of course made of the rumour by the clerical faction. In 1642 Lord Sinclair commanded a regiment for the Covenant in Ireland, and his Major was James Turner, (Dugald Dalgetty). In 1644, however, he joined Montrose, Napier, Keir, and a few others, in their conservative cabals; and, says Turner in his Memoirs, 'in regard there had been no good understanding between Montrose and my Lord Sinclair formerly, his niece, the Lady Keir, (Lord Napier's daughter,) sent him (Montrose) *a well-known token* with Hary Stewart; and this he received.'

[1] This aid to a poor scholar, and a foreigner, is an interesting trait in Montrose's character. Whoever takes the trouble to read over these accounts, must be inclined to agree with the Editor's remark, *supra*, p. 128.

[2] *i. e.*, marks for the Archers. Her Majesty's Body Guard for Scotland use the same phrases to this day.

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Item for sum vinaiger and eags that nicht my Lord keipit his chamber,	2 sh.
Item to ane taillor for his service done that year,	7 lib. 6 sh.
Item to James Pett, bower, for archerie grathe to my Lord,	10 lib. 14 sh.
Item to his son for archerie grathe brocht from London, and sum uther, having gottin eleven lib. 12 sh. befor, the rest of his counts,	6 lib. 19 sh.
Item to ane semster for helping sum roffes, and putting sleeves to holland sarks, and schewing my Lords nicht-cap all that year,	41 sh.
Item to ane foot-man who brocht from Edinburgh ane brisell-cok, and ane hunting cape to my Lord,	9 sh.
Item for tags to ane paire of boots,	4 sh.
Item to ane sadler for making ane saddell-clothe, and clothe to lyne it,	22 sh.
Item to the cook of the College,	46 sh.
Item for my Lords denner in William Geddes,	5 lib. 2 sh.
Item my Lord taking horse, to the drummer and piper,	18 sh.
Item to the gardner of the College at my Lords cuming out of the yearde,	6 sh.
Item to sum poor that day,	6 sh.
Item to ane uther servant of the College called Alexander Young,	4 sh.
Item for binding Argenis,[1]	22 sh.
Item the furniture of my Lords chamber being transported to Mr George Wysharts[2] house, given to the servants ther,	24 sh.
Item for ane paire of gloves to my Lord,	20 sh.
Item for ane ruban to my Lords cape,	12 sh.

[1] This name had been misread (*supra* p. 125) *Argues*, a mathematician; but it means the History of Polyarchus and Argenis, by John Barclay, an eminent poet and controversial writer, who died in 1621.

[2] There can be no question that this Mr George Wyshart is the same who wrote the celebrated Latin commentaries on Montrose's wars, and who thus it seems had known his hero from boyhood. He was minister of St Andrews at this time. See *supra*, p. 133.

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Item to the stabler for my Lords horse standing thre nichts,	15 sh.
Item for his stabling fyfteen days efter wchytsonday, befor his going to the grass, and for sum corne then,	43 sh.
Item my Lord going to Angus, for thre hyred horses to ferrie,	36 sh.
Item to the boy,	4 sh.
Item at Bruchtie for the fracht of the beat my Lord crossed in,	16 sh.
Item for the fracht of the boat that carried the horse,	29 sh.
Item the first of August 1629 years to some poor at the Mains,	3 sh.
Item 2 of August at the kirk of the Mains to the broad,	6 sh.
Item to some uther poor,	4 sh.
Item 4 August my Lords losse at the archerie in Bruchtie-links,	12 sh.
Item to the Ammer that day,	6 sh.
Item the fyft of August for some poudder and lead,	7 sh. 6d.
Item for rubans to my Lords shoes,	9 sh.
Item to ane gunner in Dundie for helping the brasen gun,	58 sh.
Item 6 day of August to sum poor at the Mains,	3 sh.
Item to some poor at the gate of Glames that day,	4 sh.
Item that day given to ane Ammer in Glames,	10 sh.
Item to sum poor that come, my Lord being at the archerie,	3 sh.
Item 7 day to the Ammer,	12 sh.
Item given to the servants in Glams,	6 lib. 13 sh. 4 d.
Item to ane nurrice ther of my Lord Buchans dochter,[1]	58 sh.
Item given to ane Irishe-man begging at the gate,	6 sh.
Item the nynthe day to ane shoemaker bringing ane paire of shoes to my Lord from Dundie to Claverhouse,	4 sh.

[1] See *supra*, p. 121.

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Item 10 day for ane pair of butt arrowes made in Dundie,	12 sh.
Item to some poor at the gate of Claverhouse,	3 sh.
Item given to my Lord at the cards ther,	30 sh.
Item to ane servant of the Constables of Dundie [1] wcho brocht sum guns and scheries to my Lord,	22 sh.
Item the eleventh day to sum poor,	4 sh.
Item in Bruchtie-links, my Lord being at the archerie with my Lord Kingorne, the losse being put for payment of the wyne that come from Dundie, my Lord bearing part of Reyres laying by heid,	36 sh.
Item to the Ammer that day,	12 sh.
Item the twelt day given to the servants in Claverhouse,	58 sh.
Item to the servants in the Mains,	5 lib. 16 sh.
Item to the poor that day,	6 sh. 8 d.
Item to the laird of Fentries falconer keeping ane halk to my Lord,	12 sh.
Item given to the boy by the way that day,	3 sh.
Item the fourt day my Lord being at the archerie in Montrois, given to the poor in the links and town,	6 sh.
Item for stabling the horse ther,	6 sh.
Item 16 day at the kirk given to the broad,	6 sh.
Item to sum uther poor,	4 sh.
Item given to my Lord at cards,	12 sh.
Item 17 day to sum poor at the gate of Morphie,	2 sh.
Item to sum poor at Pittarrow,	3 sh.
Item given to the gardner ther,	12 sh.
Item 18 day my Lord having been in Clanberkie all nicht given to the servants ther,	5 lib. 16 sh.
Item to the poor at the gate,	4 sh.
Item in Morphie given to my Lord at the cards,	12 sh.
Item 19 day given to my Lord,	58 sh.

[1] See *supra*, p. 124.

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Item given to Jhone Lindsay for mending the brazen gun, ...	58 sh.
Item to ane servant of my Lord of Wigtouns wcho brocht ane letter to my Lord ther, . .	12 sh.
Item 23 day to the poor at the kirk, . .	9 sh.
Item 25 day to the servants in Morphie, . .	5 lib. 16 sh.
Item to sum poor at the gatte, . . .	4 sh.
Item my Lord passing the water at the cobler of Logie, the boat having crossed the ferrie four or fyve tymes, ...	19 sh.
Item that day at the ferrie for two boats having twyse crossed the ferrie and carried fourteen horse, .	52 sh.
Item in Kinnaird the 27 day given to the servants, .	13 lib. 6 sh. 8 d.
Item to the poudler for keeping the horses, . .	18 sh.
Item that day in Dundie for stabling the horses, .	6 sh.
Item to sum poor ther, ...	6 sh.
Item in Dundie 28 day to sum poor, . .	4 sh. 8 d.
Item that day to sum poor at the Mains, . .	3 sh.
Item 29 for seven ell of holland clothe for my Lords sarks, fourtie shilling the ell, . . .	14 lib.
Item for making of them, ...	13 sh. 4 d.
Item given that day to my Lord at cards at Dydop, .	18 sh.
Item that day at my Lords coming from the Mains, .	58 sh.
Item 30 day being Sunday, given to the broad at the kirk in Dundie, ...	12 sh.
Item to the poor that day at the kirkstyll the forenoon,	10 sh.
Item afternoon at the post, ...	7 sh.
Item the last of August given to the servants in Dydope,	5 lib. 16 sh.
Item to the gardner giving my Lord ane flower on Sunday, ...	12 sh.
Item to the poor at the gate of Dydope, . .	3 sh.
Item the first of September given for ane paire of beuts to my Lord, ...	6 lib. 13 sh. 4 d.
Item for ane paire of shoes and ane paire of pomps, .	48 sh.
Item drinksilver to the boyes, . . .	12 sh.

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Item given that day to my Lord at cards in Claverhouse,	23 sh.
Item the second day given to servants ther,	58 sh.
Item given to Charles Græms man carrying ane letter from my Lord to Edinburgh,	6 sh.
Item to ane uther boy carrying ane letter to Montrois,	3 sh.
Item to two boyes going with the carriage to Orchill,	8 sh.
Item to these boys at ther returning to Montrois,	4 sh.
Item to sum poor that day at Claverhouse,	3 sh.
Item to sum uther poor be the way,	2 sh.
Item the fourt day given to the servants in Scune,	6 lib. 13 sh. 4 d.
Item for four horses standing two nichts in Perthe,	56 sh.
Item for removing my Lords horse [shoes] that day,	6 sh.
Item for ane shoe to ane uther of the carriage horse,	4 sh.
Item to my Lord at cards in Balgoun,	24 sh.
Item the sext day to the broad at Mephen,	6 sh.
Item to sum uther poor ther,	3 sh.
Item the seventhe day to the servants ther,	3 lib. 6 sh. 8 d.
Item to ane pyper ther,	12 sh.
Item the eicht day to the servants and nurrice in Inahbrakie,	4 lib. 2 sh.
Item my Lord crossing the water at Innerpeffeire, ten horses,	16 sh.
Item the eleventh day given to the servants in Orchill,	59 sh.
Item that nicht in Braco given to my Lord at cards,	12 sh.
Item 13 day at the kirk of Muthell given to the broad,	6 sh.
Item 14 day my Lord coming from Drimmen, given to the servants ther,	6 lib. 13 sh. 4 d.
Item given to ane jugler[1] ther,	12 sh.
Item to sum morisons ther,	27 sh.
Item to sum poor,	4 sh.

[1] Montrose seems to have patronised that vagrant class described by the act 1579, as 'sik as makes themselves *fules*, and *bairdes*,' or who go about the country 'using subtil, craftie, and unlawful plays, as *jugalrie*, *fast-and-lous*, and sik uthers;' and against whom the act decrees 'that their ears be nayled to the Trone, or to ane uther tree, and their ears cutted off, and banished the countrie, and gif thereafter they be found again, *that they be hanged*.'

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Item 16 day given to my Lord at cards in Braco, .	30 sh.
Item 18 day given to ane rymer called Croter, .	18 sh.
Item 19 day given to sum poor Irishe women at the gate of Braco, ...	12 sh.
Item to ane uther poor woman, . . .	3 sh.
Item given that day to my Lord at cards, . .	30 sh.
Item given to my Lord at Pennestone, . .	12 sh.
Item the 20 day given to the broad at the kirk, .	6 sh.
Item to sum uther poor	3 sh.
Item given 21 day to the servants in Braco, . .	3 lib. 10 sh.
Item to sum poor, my Lord taking horse, . .	3 sh. 4 d.
Item 22 in Stirling for ane paire strip-leathers to my Lords seaddell, ...	12 sh.
Item to ane taillor boy serving Jhone Grœme of Killerne, for showing sumtymes, and dressing two paire of beut-hose, and going to Cumernald to give advertisement of my Lord, ...	18 sh.
Item 23 to ane boy going to Garscub, . .	4 sh.
Item given to the servants in Duncrubs house, .	5 lib. 16 sh.
Item to the nurrice ther, ...	58 sh.
Item thre horses at the hard-meat, standing two days in Stirling, for ane firlot of corne to them, .	40 sh.
Item to straw, ...	15 sh.
Item to the porter of the castell of Stirling, . .	18 sh.
Item for two girse horse these two months, . .	24 sh.
Item two boys everie one ane grott daylie, and two shillings to drink be the way, . . .	18 sh.
Item for two paire of gloves to my Lord, . .	52 sh.
Item to the poor of the port of Stirling, . .	6 sh.
Item to the drummer and pyper ther, . .	18 sh.
Item 24 day given to my Lord in Garscub, . .	12 sh.
Item to the boyes returning with the horse, . .	6 sh.
Item 25 day given to my Lord ther at billards, .	58 sh.
Item 26 day given to the provost of Glasco his man, having brocht sum pears to my Lord, . .	12 sh.
Item for putting ane shoe on my Lords horse, .	4 sh.

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Item 27 day given to the poor at the kirk of Goven, to the broad, and at the kirk-styll, . . 15 sh.
Item crossing Clyde going and coming from the kirk, given to the ferrie-men, . . . 16 sh.
Item 29 day given to Alexander Gibson wcho had come with some moneyes to my Lord from Strath-erne, ... 12 sh.
Item the penult of September given in Edinburgh for half quaire of gilt paper, . . . 6 sh.
Item in Glasco that day given to the officers in the Tol-buithe, ... 5 lib. 16 sh.
Item given the said day at the twa hospitals besyd the castell, ... 24 sh.
Item in Garscub[1] 2 October 1629, given to the ser-vants in drink-silver, ... 5 lib. 16 sh.
Item given to the nurrice ther the said day, . . 58 sh.
Item given the said day to the poor at the gate of Gar-scub, ... 6 sh.
Item given to the poor at Cader, and be the way, . 2 sh.
Item in Cummernald on the 3 October given to the servants, ... 5 lib. 16 sh.
Item to the poor ther, ... 3 sh.
Item given the said day to Jhone Pollok, in arles of ane horse, ... 5 lib. 16 sh.
Item in Stirling, the 4 October, given to the broad at the kirk doore, ... 12 sh.
Item to the poor ther the said day, . . . 2 sh.
Item in Stirling the 5 October, my Lord having been in the fields in the morning, given to the poor at his returning, ... 3 sh. 4 d.
Item to ane dumb woman, ... 4 sh.
Item the said day given to the servants in Duncrubs house, ... 58 sh.

[1] Garscube seems to have passed from the Montrose family to Colquhoun of Luss, possibly as the tocher of Lady Lilias. Montrose's father frequently refers to 'my place of Garscube.'

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Item to the nurrice the said day, . . .	29 sh.
Item given the said day for the horses expences these two nichts in Stirling, ...	4 lib. 15 sh.
tem to the poor, my Lord taking horse, . .	4 sh. 8 d.
Item on Sunday the eleventhe of October 1629 given to the broad at Blackfurd kirk, . . .	6 sh.
Item to the poor ther the said day, . . .	3 sh.
Item in Orchill the threttine of October given to the servants ther in drink-silver, . . .	5 lib.
Item in Glenaiges on the fourteen of October given to the servants ther, ...	3 lib. 6 sh. 8 d.
Item the said day for shoeing my Lords black horse,	20 sh.
Item the said day two carriage horse going from Kinkardin to the Mains, being one nicht be the way in St Johnstone,[1] to the thre boys and two horses,	24 sh.
Item to sum poor at the gate of Kinkardin that nicht,	4 sh.
Item the sextein day, in Balgown, to sum poor, .	3 sh.
Item given to the servants ther, . . .	58 sh.
Item to ane boy that dressit my Lords horse, .	4 sh.
Item the said day given at St Johnstowne at the ferrie,	29 sh.
Item to ane boy that held my Lords horse at the water syde, ...	1 sh.
Item the said day given to the poor betwixt St Johnstowne and the Mains, ...	12 sh.
Item the sevintinthe day to the servants in the Mains,	3 lib. 16 sh.
Item to sum poor at the gate of the Mains, . .	4 sh.
Item for ane housen girthe to my Lords brown horse,	10 sh.
Item for ane paire of girthes, . . .	10 sh.
Item the said day also for ane dog lishe, . .	18 sh.
Item the said day for ane paire of beuts to my Lord,	6 lib. 13 sh. 4 d.
Item to the boy bringing them, . . .	8 sh.
Item the eichtin day given to the broad at the kirk of Kinnard, being Sunday, ...	12 sh.
Item to sum uther poor that day, . . .	12 sh.

[1] St Johnstone was the more ancient name of Perth.

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Item the nynteen day given to sum uther poor at the gate of Kinnard, ... 4 sh.
Item the twentie day given to the servants in Kinnard, 33 lib. 13 sh. 4 d.
Item the said day given to ane violer ther, . . 58 sh.
Item to the poor this day, ... 6 sh.
Item 27 day to ane boy coming with letters from Stratherne to Morphie, ... 6 sh.
Item in Kinnard 28 day given to sum poor, . . 6 sh.
Item the penult day to sum poor, . . . 2 sh.
Item to ane servant going with letters from Kinnard to the west countrie, ... 12 sh.
Item at Morphie the third day of November 1629 given to ane boy of the laird of Ochills going with letters from thence to Stratherne, ... 6 sh.
Item that day in Cowie, given to Robert Græme, my Lord ryding to Aberdeen, fyve dolors, . . 14 lib. 10 sh.
Item that day in Cowie for oats to the horses, . 15 sh.
Item for removing and frosting the horses in Morphie that morning, ... 6 sh.
Item in Aberdeen[1] the fourt day for sum bukkills putting to ane paire of spurs of my Lords, . 4 sh.
Item that day given to sum poor at the New-toun of Aberdeen, ... 7 sh.
Item given to the poor at the Auld-toun, . . 3 sh.
Item given to the porter of the Colledge ther for ringing the bells, ... 46 sh.
Item to sum bed-men at the Bishops gate, . . 12 sh.
Item the same day, my Lord having been made burgess, given to the town-officers thre dolors,[2] . . 8 lib. 14. sh.
Item the fyft day for my Lords horses, fyve horses two dayes, ... 5 lib.
Item thre boys wages, ... 24 sh.

[1] Montrose had gone to Aberdeen to sit for his portrait to the Scottish Vandyke George Jameson; see *supra*, p. 130.

[2] See *supra*, p. 130.

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Item that day given to Robert Grœme ane uther dolor,	58 sh.
Item that day given to the poor, my Lord taking horse, and be the waye, ...	8 sh.
Item the saxt day, in Arbuthnot, given to the servants and nurrice ther, ...	8 lib. 14. sh.
Item that day to the poor, at the gatte of Arbuthnot, and be the way to Halkertoun, . . .	14 sh.
Item the seventhe day given to the servants in Halkertoun, ...	5 lib. 16 sh.
Item to the poor that day, ...	6 sh.
Item to ane boy who had found ane haire the day befor,	6 sh.
Item given to ane trumpeter ther, . . .	24 sh.
Item the eicht day to the poor, and to the broad and the kirk,[1] . . . . . ,	9 sh.
Item the nynthe day, in Montrois, my Lord playing at the golfe with the laird of Lusse, for two golf-balls,	24 sh.
Item my Lord taking ane drink in Jhone Garns befor he went out, and after he come from the golfe,	45 sh. 4 d.
Item that day for stabling my Lords horses, . .	3 sh.
Item the said day to ane boy holding my Lords horse at the gate of Kinnard, ...	6 sh.
Item the tenthe day to the servants in Morphie, .	8 lib. 14 sh.
Item the said day given to the broad in the kirk of Kinnard at my Lords mariage, . . .	29 sh.
Item to the poor, my Lord cuming home from the kirk,	36 sh.
Item the eleventhe day to sum poor, . .	3 sh.
Item the said day given to Robert Grœme more then the sax dolors befor given to him, . .	40 sh.
Item in Kinnard, the thretteen day, given to the minstrells, ...	8 lib. 14 sh.
Item the fyfteen day, being Sunday, given to the broad, and to sum poor at the kirk-style, . .	15 sh.

[1] Montrose was married at Kinnaird on the following day, namely, 10th November 1629; see *supra*, p. 132.

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Item given to the servants of Kinnard efter my Lords mariage,	33 lib. 6 sh. 8 d.
Item 16 day given to my Lord at cards,	24 sh.
Item the eichtin day to ane boy of the laird of Morphies wcho brocht ane letter with sum moneye to my Lord,	4 sh.
Item for my Lords portrait drawen in Aberdeen,	26 lib. 13 sh. 4 d.
Item to ane going to Aberdeen for it,[1]	12 sh.
Item the nyntoen day to ane boy going to St Andrews for clubs and bals to my Lord, for bearing his charges, having been [some] nichts waiting on them,	32 sh.
Item for sax new clubs, and dressing sum auld clubs, and for bals,	11 lib. 8 sh.
Item given back to James Græme sax shillings wiche he had given to my Lord,	6 sh.
Item 23 day to the broad,	6 sh.
Item twentie-four day, my Lord being in Montrois at the golfe, given for stabling the horse,	3 sh.
Item twentie-fyve day, for the horse stabling ther again,	3 sh.
Item twentie-sax, for the horse standing again ther,	3 sh.
Item twentie-sevin given to the servants in Morphie,	5 lib. 16 sh.
Item to sum poor that day,	4 sh.
Item given to my Lord twelve dolors, of the wiche I received back sax, so reste given to my Lord,	17 lib. 8 sh.
Item the penult day given to the broad,	6 sh.
Item the last of November to the poor at the Craige,	7 sh.
Item December the second day 1629 to ane wcho brocht my Lords portrait from Aberdeen,	12 sh.
Item the saxt day to the poor at the kirk,	8 sh.
Item the sevinthe to sum poor at the gate of Kinnard,	3 sh. 4 d.
Item for ane quaire of paper,	4 sh.

[1] In the MS. a line is drawn through these two items relating to the portrait, and on the margin is written, 'This was given by Morphie;' see *supra*, p. 131.

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Item given to one of the boys in the stable at my Lords direction, ...	4 sh.
Item to ane boy of the laird of Halkertons[1] who brocht from Edinburgh to my Lord ane paire of beuts and spurs and beut-hose, . . .	12 sh.
Item the twelt of December, my Lord being at the golfe in Montrois,[2] having taken ane drink in Jhone Garns, ...	16 sh.
Item for stabling the horse that day, . .	4 sh.
Item to sum poor in Montrois, . . .	3 sh.
Item to Jhone Meuros, being sent to St Androes for removing the furniture of my Lords chamber, having staid nyn dayes abroad,[3] . . .	24 sh.
Item for ane new bryddell and bitt for my Lords brown horse, ...	24 sh.
Item for ane paire of streap-lathers, . . .	12 sh.

[1] See *supra*, p. 132.

[2] Montrose seems to have been equally devoted to Archery and Golfing. Charles I. was fond of the latter pastime, against which there was a statute in Scotland prior to the time of Montrose, because of its interference with the practice of Archery. The act 1457 c. 64. ordains 'that the Futeball and Golfe be *utterly cryed downe*, and not be used; and that the bow-markes be maid, at ilk Parish Kirk a pair of Buttes, and schutting be used; and that ilk man schutte sex schottes at the least,' &c. 'And as tuitching the Futeball and Golfe, to be punished be the Barronnis unlaw,' &c. The use of the bow, as a weapon of war, was not altogether exploded in Montrose's time; he had a company of bow-men, in his first victory for the King, under the unfortunate Lord Kilpont.

[3] Montrose now bade adieu to the University, and established himself at Kinnaird, the seat of his father-in-law, in terms of the marriage contract. Here he was domesticated until the year 1633, when he set out on his travels *en garçon*, under the circumstances narrated in the preface to this art, and shortly after the birth of his second son, who became the second Marquis. In that very excellent antiquarian History of Stirlingshire, edited with great accuracy and research by the Rev. William Macgregor Stirling, it is stated (vol. 2. p. 429), 'The great Marquis's *only* son, by Lady Magdalene Carnegie, James, was, after the restoration of the House of Stewart, put in possession of his estate and honours.' There is no doubt, however, that Montrose had three sons by his Countess. His eldest born accompanied his father and the royal army, when only in his sixteenth year; but he died at the Bog of Gight, probably from the fatigues of the campaign, and was buried there by his father in the month of March 1645. The second son, James, who thus became Lord Graham, was a prisoner in the castle of Edinburgh, and in his twelfth year, at the time of the battle of Kilsyth, in August 1645. There was a third son, Robert, who attended the public funeral of his father, ordered by the restored Government in 1661. Montrose had no other family by his Countess, and is not known to have had any natural children; but a faithful adherent of his, Sir Hary Graham, was a natural son of the 4th Earl.

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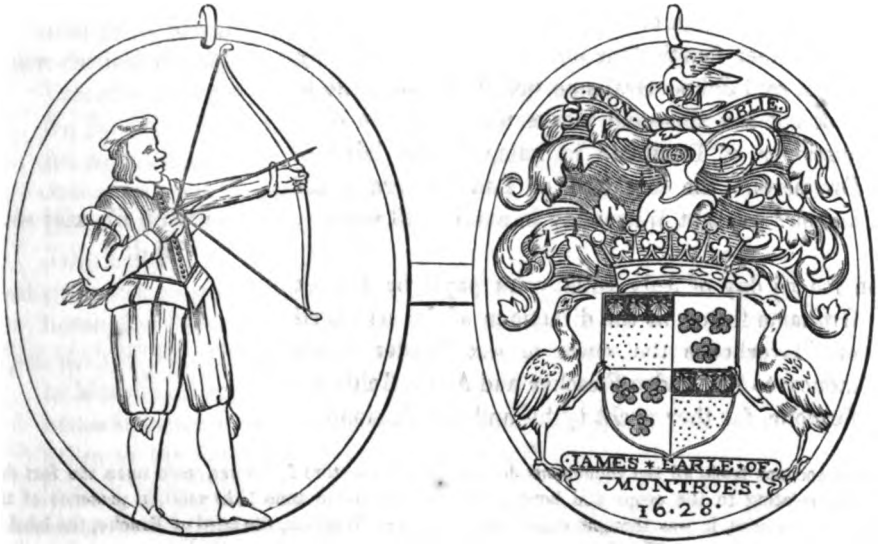
Item given to the ministers, Mr George Wyshart his servants, wcho had keept and transported the furniture and truncs, ...	24 sh.
Item the tharettin day to the broad, and sundrie uther poor that day, ...	15 sh.
Item 14 day to sum poor, ...	2 sh. 6 d.
Item 16 day to ane fellow called Mathew Graeme going to Stratherne with letters, ...	4 sh. 6 d.
Item the eichtin day to Alexander Gipson the officer of Kinkardin at his returning home from Kinnard,	12 sh.
Item for mending the horse comb,[1]	4 sh.

[1] Thus end these accounts in the hand-writing of Mr John Lambye. There are no signatures affixed; but there follows a summing up of charge and discharge, with a referepce to the factor's accounts, in another hand, and there is added: 'This compt maid at Kynnaird the 27th August, 1630.'



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IV.

EXTRACTS FROM THE ACCOUNTS OF ROBERT GRAHAM, ONE OF MONTROSE'S FACTORS,[1] 1628.

Upone the secund of July 1628 yeirs payit be the said Robert Grahame factor, at directioun of my Lord in the toun of Sanct Androis, to Mr John Lambie, for pament of my Lords buird there, and uthers his Lordships adois, the sowm of two hunder and twentie-sax punds xiij sh. iiij d. money, befoir the said factor rid to Edinburgh for pament of the anuel-rent there, as ane ticket givin be the said Mr Johne Lambie beirs, ... ij xxvj lib. xiij sh. iiij d.

Upon the fyft of July 1628 yeirs payit be the said factor, at directioun of the said laird of Claverhouse, two hunder fourtie four lib., xiij sh. iiij d. money to the said Johne Grahame quhilk he advancit to mak out sax thousand merks money to the commissioner of Dumblain in name of the laird of Dumbcroub the first half of Ladie Dorratie hir tocheir[2] payit at Witsonday in anno 1628 yeirs, . ij°xliiij lib. xiiij sh. iiij d.

Upon the xij day of July 1628 yeirs payit be Robert Grahame factor, at the directioun of the said laird of Claverhouse the sowm of sax hunder punds money to Sir Andro Flescher and Adam Keltie his fermour, for ther rycht tythe and assignatioun of

[1] This account book, all the voluminous details of which, relating to the crops and burdens of Montrose's baronies, it was thought unnecessary to print, thus commences: 'Heir Robert Grahame, burges of Montrois, factor to ane potent Erll James Erll of Montrois, Lord Graham and Mugdok, &c., makis compt to the said noble Erll and his Lordship's curators following, maid upon the fort day of Marche in anno 1629 yeirs, in presence of the Erll of Wigtoun, the laird of Bracko, the laird of Lusse, Morphie, Urquhill, Claverhouse, John Grahame, and James Duncan.'

[2] Lady Dorothea Graham, Montrose's sister; see *supra*, p. 93.

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ane auld gift of pensioun perteining sumtyme to Dandie Broun and Margaret Hoome his spouse, and umquhile Robert Flescher that mareit the said umquhile Margaret Hoome, being depending in law against my Lord James Erll of Montrois. Because Sir Thomas Hoip and the rest of my Lords Advocatts gaiff advyse to aggrie, the said laird of Claverhouse directit to paye tham, as his dischairge beirs, ... vj^{li} lib.

Upon the xv day of July 1628 yeirs payit to the said factor at directioun of the said laird of Claverhouse the sowm of ane thousand merks money to Stein Boyd merchen burges of Edinburgh, and that in part of pament of ane compt of merchendeis in cleithing to my Lords self, and the ladie Dumbcroub, tain on at sindrie tymeis sen the buriell of my umquhile Lord of guid memorie, as the dischairge of the said Stein producit beirs,[1] . . j^{m} mks.

Upon the last of July 1628 yeirs at desyr of Mr John Lammie his lettir direct to me in my Lords name fra St Androis to Montrois with John Muresoun for money and horse, quhair I send with the said John my awin horse, and my boy with him, to Sanctandrois, and gaiff him, to give the said Mr John Lammie to his purse to serve my Lord with, j^{li} lib.

And gevin my awin boy to be expensis to him and the horse that I send to St Androis, . . . xxx sh.

Upon the xiiij day of August 1628 yeirs, my Lord being in Morphie, directit to send to the laird of Claverhouse thrie score punds money to wair upon [some] horse at the first fair of Dundie, quhen the said factour tauld and delyverit the same to Walter Greg ane of the tenents in Auld Montrois, to beir to the laird of Claverhous, quhom the said factor

[1] See *supra*, p. 145.

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directit to be that nicht in the Claverhouse at the laird with the said sowm for the cause foirsaid, iij^xx lib.

Item coft be the factor at command ane coller to the said horse, pryce thereof iij sh., mair for thrie eln of round tweill claithe to be him ane horse-sheit, at vij sh. j d. the eln, inde, . . xxxv sh. vj d.

Item quhen my Lord was in Morphie in August 1628 yeirs, at directioun, coft sevin quarters linning of the round sort, and thrie quarters of the small sort, to be thrie pair of leg-socks to his Lordship, pryce of the round linning viij sh. the eln, and the pryce of the small linning ane merk the eln, inde, xxiiij sh.

Item for threid, and making of the said thrie pair of leg-socks, ... v sh.

Upon the xxv day of August 1628 yeirs, at directioun of my Lord and the laird of Morphie, gevin of redie money to Mr John Lammie to serve my Lords purse ane hunder merks money to be gevin furthe be the said Mr John in my Lords adois, . iij^xvj lib. xiij sh. iiij d.

Upon the tent day of September 1628, my Lord being in the place of Brakco, at command, gevin to Mr John Lammie to serve my Lords purse, and to deburs in his Lordships travells and adois, . l lib.

Item at command of my Lord, Claverhouse, and John Grahame, gevin that daye to Robert Tailzeour in Kincardin quhen he wes directit to Edinburgh with ane stand of clatheis to reform to my Lord, to mak his expensis, ... xl sh.

In the month of Agust 1628 yeirs, quhen my Lord visseit the place of Ald Montrois, thair wes ane mekle hoill in the slait-work therof abon the tharra at the bak door quhilk oppins on the tarra, quhen as his Lordships self directit the factor to gar mend the same, quhilk he gart be done, and payit for lyme

therto ane merk, and for sklaitwork and sklaittis therto fyftie sh., inde, ... iij lib. iij. sh. 9 d.

Item in October 1628 yeirs quhen my Lord wes in the west cuntrie, John Grahame in Edinkill gaiff, at directioun of the factor, to Mr John Lammie, purs-maister,[1] to deburs to my Lord in Kincardin, viz., to give to William Grahame, the notary, and upon the first of November 1628 yeirs gevin to the said Mr John to put in his purs, to deburs in my Lords adois, two hunder punds, and mair to pay in Sanct-androis for my Lords buird, and his servands, four-scoir ten lib.; and mair to give my Lords Regent of the Colledge xxvj lib. xiij. sh. iiij d.; summa of haill in this artickle, ... iij^c liij lib. vj sh. 8d.

And in October 1628 yeirs, befoir the meitting of my Lord and his Lordships freinds at Kincardin, Alexander Gibsoun, officer, gart bring there xxviij laid of coills to be fyring in the place, and to air the cleitheis, price of ilk laid xxxij d.; summa for the haill coills, ... iij lib. xiiij sh.

And payit to James Grahame in Drumfad for ane ordiner dyet that he furneist to my Lord and his Lordships friends in Drumfad, accompainet with the laird and Ladie Luss, and uthers, sic as the laird of Glennegeis, as the particular beirs fuitit and subscryvit,[2] . . . . . xlviiij lib. xij sh.

Payit at directioun of my Lords awin precept to Thomas Moncur, at leist to Patrik Bruce that retainit the same in his name, fourtie punds money, in favors of thois gentilmen that susteinit loiss be the fleiting

[1] This is the only item in all the accounts where Mr John Lammie is designed. Most probably he took charge of Montrose's studies as well as his purse.

[2] See *supra*, p. 146.

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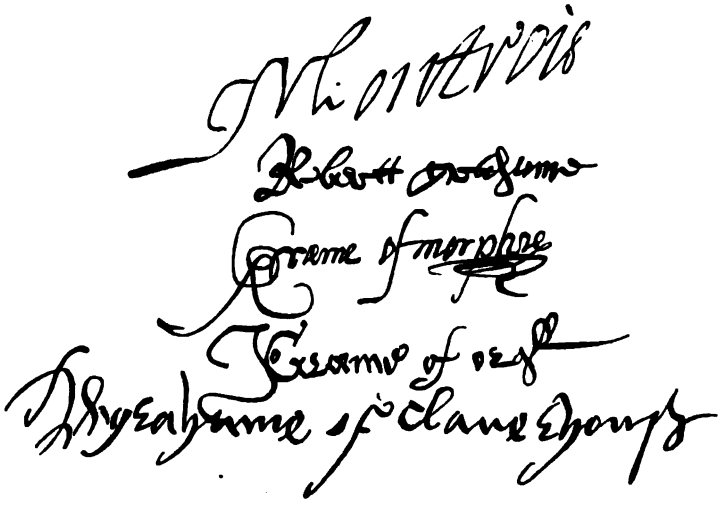
moss besyde Arithe in anno 1628 yeirs, as the said precept, and the said Thomas Moncur his dischairge producit heirwith beirs, ... xl lib.

Payit for mending the glass-wark, and glassin windois, of Ald Montrois in August 1629 yeirs, at directioun of the laird of Morphie, . . . vj lib. iij sh. iiij d.

Payit, at directioun, to the sklaitters callit John Sires and Alexander Talbertt, for mending all the sklait work of Ald Montrois, except the towr, the baik-hous, and brew-house, and the kitching, quhilk thay refuisit quhill the samein be tirrit first befoir thay tak it in hand. So they mendit the greit hous, the chalmers on the south syd of the clois, the porter-ludge, the gardin chalmer, and the girnel-hous, for the sowm of . . . vij lib. xiij sh. iiij d.

'This compt futted and subscryvit at Drumfad the threttein day of October j^m^ sax hundret twentie and nyne yeirs.'



PART III.

A CONTEMPORARY, who writes 'A Relation of the true Funerals of the great Lord Marquesse of Montrose,' which occurred in 1661, and who, in describing his hero, says, 'I shall acquaint you with what I know myself, having followed him several years in his expeditions, and what I have learned from others of good name and credit,' adds these facts:—'In his younger days he travelled France and Italy, where he made it his work to pick up the best of their qualities necessary for a person of honour: Having rendered himself perfect in the Academies, his next delight was to improve his Intellectuals, which he did by allowing proportionable time to reading, and conversing with learned men; yet still so that he used his exercise as he might not forget it. He studied as much of the mathematics as is required for a soldier; but his great study was to read men, and the actions of great men: Thus he spent three years in France and Italy, and had surveyed the rarities of the East if his domestic affairs had not obliged his return home, which chanced at that time the late Rebellion began to peep out.'[1] This account is quite in keeping with the view obtained of the young nobleman's character and habits through the recently recovered evidence of his college life.

[1] Printed (from the original manuscript) in the Appendix to the Translation of Wishart's Latin Commentaries, edition 1720. There can be no doubt that the author of this account of the public funeral of Montrose, ordered by Government at the Restoration, was Thomas St Serfe, or Sydserff, son of the Bishop of Galloway; indeed he is mentioned as being secretary to the pageant; and he gives a shorter account of it in the *Mercurius Caledonius*, of that date, which paper Sydserff edited.

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The desire to 'survey the rarities of the East' had doubtless been derived from his patronage of the Eastern traveller, William Lithgow, 'the Bonaventure of Europe, Asia, and Africa,' whose courtly muse

'Made Mars for valour canonize the Graham.'

Bishop Burnet, whose manner (in his posthumous work[1]) was to relieve his favourite figures upon a back-ground of calumnious gossip, and to depreciate where it did not suit his purpose to be candid, refers to Montrose's travels and accomplishments *more suo*. He says that he was 'a young man well learned, who had travelled, but had taken upon him the part of a hero *too much*, and lived as in a romance; for his whole manner was stately to affectation.'[1] It appears, from the old records of the English College in Rome, that in 1635 Montrose was travelling in Italy, along with the young Earl of Angus, and a suitable train; and that they were hospitably entertained in the refectory of the college.[2] He returned home some time in 1636, after an absence of

[1] Burnet's motive for depreciating Montrose was his own championship of the very equivocal career of Hamilton, which could not have found a better champion. Having thus pictured Montrose as something very like a fool, the Bishop elsewhere pronounces him a coward: 'Montrose in his defeat took *too much* care of himself, for he was never willing to expose himself *too much*.' Thus Montrose was both a hero 'too much,' and a poltroon 'too much.' But the passage proved *too much* for the Bishop's own son, whose pious fraud long deprived the world of the intensity of its falsehood, by suppressing an accusation which might with the same truth have been recorded of that brave old ruffian Cromwell, or of Nelson and Wellington in modern times. We shall have a word or two more with the Bishop before these Memorials are concluded.—(See Oxford Edition of Burnet's History of his own Time, restoring the suppressed passages, vol. i. pp. 53–71.)

[2] 'Die 27 Martii [1635], duo comites, ANGUSIUS et MONTEROSUS, Scoti, cum quatuor aliis viris nobilibus illius nationis, et quatuor famulis, excepti fuerunt in refectorio nostro, honorifice pro gradu suo.' This college was originally a foundation for the reception of English pilgrims frequent-

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three years, being then in his twenty-fourth year, or, as Heylin expresses it, 'in the flower and bravery of his age.' That contemporary narrates a curious and circumstantial story of a very cool reception which Montrose met with from his sovereign, to whom he was then introduced, for the first time, in London. It amounts to this, that the royal minion, Hamilton, jealous of, and alarmed at, the growing reputation of his noble countryman, contrived by double-dealing and great duplicity mutually to prejudice Charles and Montrose against each other.[1] This much is certain, that Montrose himself came to be firmly impressed with such an opinion of the character of his distinguished rival as that anecdote would justify. The accomplished D'Israeli, however, who, with all his research, knew nothing of the personal history of Montrose, does no justice to his lofty character and motives, when, in his Commentaries on the Life of Charles I., and referring to Heylin's anecdote,

ing Rome from pious motives, and dates very far back. After the Reformation, Pope Gregory XIII., in 1579, converted it into a college for English students, 'qui silvescentem pravis dogmatibus patriam suam doctrinâ et sanguine irrogarent; cum hoc tamen onere, recipiendi et alendi ANGLOS ad urbem devotionis causâ adventantes, secundum statuta hospitalis prædicti, quæ jubent hospites pauperes *octiduo*, nobiles vero et devites *triduo* retineri.'—(Communicated by Mr Dennistoun of Dennistoun, from the original record at Rome.) The Earl of Angus here mentioned was son of the eleventh Earl, who, upon the occasion of the King's coronation in Scotland in 1633, was created Marquis of Douglas.

[1] The story is told both in Heylin's Remarks upon L'Estrange (p. 205) and in his Life of Laud (p. 373). It is remarkable, and tends to add credit to the anecdote in question, that Heylin was intimate with Montrose's relative, Lord Napier, who could not fail to be cognisant, from Montrose himself, of whatever occurred on the occasion in question. In the Life of Laud, after recording the particulars of the tithe policy of Charles, Heylin speaks of 'the learned and right noble Lord of Merchiston (Napier), from whose mouth I had all this narration.' This, too, must be observed, that the whole of Hamilton's subsequent conduct in public affairs, serves as a commentary upon Heylin's characteristic of him; which is also quite in keeping with Lord Napier's private record of Scottish councils and councillors.

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he says—'The slighted and romantic hero, indignant at the coldness of that royalty which best suited his spirit, hastened to Scotland, and threw himself, in anger and despair, into the hands of the Covenanters.' Thus will the most searching authors occasionally supersede history with imagination, and run into the merest verbiage, from some paucity of information which they are more willing to disguise than confess. The high spirit of Montrose, no doubt, would be greatly chafed on the instant by a reception, which, until Hamilton's real character and designs became known to him, must have appeared a gratuitous insult on the part of his sovereign. But, although he arrived in Scotland some time before the tumults broke out, the community there was worked up to its highest pitch of excitement before he became connected, privately or publicly, with those violent proceedings. Moreover it is proved, by Montrose's own solemn declarations, in several original documents which this Part of the Memorials embraces, that he joined the insurrection, not from a sudden impulse of passion, but in consequence of the earnest persuasions of others, and because he himself had arrived at the deliberate conviction, that 'Churchmen's greatness,' and Episcopal civil government, had grown to be equally destructive of liberty and prerogative.

Writers of every denomination have been busy, for two centuries, with the character of Montrose, describing the fiery impulses, or petty and selfish motives, that led him from the King to the Covenant, and from the Covenant to the King, according to their own imaginations or their feelings towards 'the Cause.' This rash anatomy of his conscience has passed, through many intermediate hands, from a bewildered contemporary chronicler, to an exasperated modern historian,[1] without the

[1] Nothing can exceed the storm of Mr Brodie's invective against Montrose. His chief authority is Robert Baillie, in his letters to his kinsman Spang. But the petty

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fact being known, until now, that Montrose himself had anxiously recorded his own defence, in reference to the very calumnies that have so long beset his memory. The recent recovery of this important document was very accidental, and the manner of it may interest at least the antiquarian reader. An intelligent correspondent, a stranger to the editor, thus addresses him, in a letter dated 'Whitehaven, 25th March 1847,' the writer of it not being at all aware that these Memorials were in progress when he so kindly favoured him with this valuable and opportune contribution :—

SIR—I have just been reading, in the Quarterly Review for December last

calumnies and confused characteristics of the original chronicler of the Covenant show, in the pages of Mr Brodie's Constitutional History, like the nebulæ of Orion magnified into monsters by the telescope of Herschell; with this difference, however, that the higher the power, the further from the truth. He is there denounced, literally, and without figure of speech, as a murderer and assassin. He is said to have been 'utterly cast off by the whole body as bloated with iniquity.' There was 'no scheme so desperate that he hesitated to recommend—none so wicked that he declined to execute.' He was 'the blackest criminal.' His best motives were 'mortification and revenge'—his least crime was 'perjury'—and his highest accomplishment '*poetry*, no less execrable than his actions had been as a member of society.' (Hist. vol. ii. p. 404; vol. iv. pp. 270, 271, 272.) Readers, of whatever principles, rub their eyes, and wonder if this can mean Montrose! The ghost of Baillie, upon whom much of the portraiture depends, might rise to disclaim it with indignation. That narrow-minded and excited chronicler, whose inconsistencies and perplexities in portraying the leading characters of the Troubles, inclusive of 'that man' Argyle, are most amusing, entertained a sneaking admiration for our hero. He calls him, when in arms for the Covenant, a 'most valorous and happy gentleman.' Again, when Montrose's generous nature refused to execute the orders of the Covenanting Government, by reducing Aberdeen to ashes, the disappointed Baillie deplores his leniency in some remarkable sentences, which we shall afterwards have occasion to notice more particularly. But the loyal phase of the heroic nobleman, he at once attributes to jealousy of Argyle and Leslie, and regards him ever after as an apostate. The mind of Montrose soared beyond the grasp of Baillie.—(See Baillie's Letters *passim*.)

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(1846), a review of your Life and Times of the great Montrose. As it is probable that you may now be preparing for another edition, I send you a copy of a dispatch by Ferdinando Lord Fairfax, containing a copy of Montrose's instructions to Lord Ogilvie, when he sent him to the King, immediately before he himself proceeded into Scotland, in case it may be useful to you, as I am not aware of its ever having been published. It came into my hands in the following manner. After the death of my friend, the late Sir William Macleod Bannatyne (formerly Lord Bannatyne), the representative of an ancient Bute family, I applied to his trustees for liberty to search for and preserve any thing interesting which I might find among a great mass of old papers in the garret of Whiteford House, which he formerly occupied; particularly such as might relate to my native county of Bute, for the history of which I have been long making collections. In the course of my hurried search, besides many title-deeds, I found a bundle of miscellaneous papers which I secured, among which were some relating to the period of the civil war, and one of them was the document which I send you. I have not been able to find any distinct notice, in any of the histories which I have consulted, of the defeat of Sir Marmaduke Langdale, mentioned in Fairfax's letter as having occurred on the preceding Thursday, although, from the circumstances stated, it must have been an action of considerable importance. In the same parcel were several other documents relative to Montrose, viz.:—

1st, Draft of a Declaration (7 pages small quarto, closely written in a cramp difficult hand), probably issued by the Marquis and his friends in August or September 1645, professing their adherence to the *Covenant* (apparently to conciliate the Lowlanders), but at the same time justifying their taking arms in the Royal cause.

2d, 'Double of James Grahame his principall Book of protections,' taken at Philiphaugh. It is very curious, as showing the numbers, apparently of all parties, who had taken protection from him. It appears that the Commission of the Kirk, to whom this copy of the list seems to have been furnished, sent a set of queries to several synods for their opinion as to the *penances* to be inflicted on those who had taken protections, or passes, from the Marquis. Four of the answers returned are wrapped about the list, all of them abundantly bigotted and vindictive. The first is marked, 'Merse and Tweedale;' the second, 'Lothian;' the third, 'Fife;' all apparently marked by the same hand, probably that of the clerk of the Commission; the fourth is not marked with the name of any synod; and none of them bear any signature.

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3d, Heads of a Discourse against resistance to Supreme lawful authority—the power assumed by the Pope to absolve subjects from their allegiance, &c. &c. It is written in an old cramp hand, and has no date; but whether in the reign of Charles I., or after the Restoration, when passive obedience was more in fashion, I cannot determine.

If you think that any of these will be of service to you, I can let you have a perusal of them.

I remain, Sir,

Your most obedient servant,

JOHN MACKINLAY,

(Comptroller of Customs, Whitehaven.)

Mark Napier, Esq.

The whole of the documents mentioned in the above letter, and which are new to History, were eventually transmitted from Whitehaven to be added to these Memorials. Montrose's instructions,—written by him for the information of Charles I., and which he had despatched with his gallant friend Lord Ogilvy, as he himself turned northwards on his solitary and desperate adventure into Scotland,—were not hitherto known to have been in writing at all. They are highly characteristic of Montrose, and afford particulars of his movements and difficulties that are recorded nowhere else. This paper will appear in its chronological order. The document which our correspondent entitles Draft of a Declaration, and which was not altogether understood by him, is the most important of the whole. In the 'cramp and difficult hand,' the editor had little difficulty in recognising the autograph of an ancestor, Archibald first Lord Napier. That a stranger, to whom the fact was unknown, should thus accidentally have transmitted the document to the quarter where alone it was at all likely to be recognised, and where it now mingles with many manuscripts of the same nobleman, was a happy turn of fortune in the lottery of antiquarian chances. The

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Declaration, which shall presently speak for itself, was never issued by the Marquis or his friends, and has never appeared in print. It bears no date and no signature; but the following circumstances will suffice to identify it.

The battle of Kilsyth, Montrose's last and greatest victory, occurred upon the 15th of August 1645. Upon the 20th of that month, Montrose sent his nephew, the Master of Napier, along with Colonel Nathaniel Gordon, and a force consisting of a thousand horse, to proclaim a Parliament at Linlithgow, and to summon the city of Edinburgh. Upon this occasion young Napier had the pleasure of releasing from the prison of Linlithgow (where they had been confined by Argyle's vindictive government, on account of their connexion with Montrose,) his father Lord Napier, his own wife (the Earl of Mar's daughter,) his two sisters, and his brother-in-law, Sir George Stirling of Keir. Consequently it was not until after the 20th of August 1645, that Lord Napier joined Montrose, who, on the 13th of September thereafter, allowed himself, when left with but a remnant of his army, to be surprised and surrounded at Philiphaugh by the Scottish cavalry under David Leslie. Old as he was, Napier contrived to make good his way, along with Montrose and a few other cavaliers, through the iron brigades of Leslie; but, being about seventy years of age, this disaster hastened his end, and he died at the first resting-place he found, before the close of that year, 1645. Now the document in question concludes with a reference to the battle of Kilsyth, in Lord Napier's handwriting, and obviously written at the same time and by the same hand as all the rest of the paper. The context proves that the Remonstrance is from Montrose, and was intended to set himself right with his country, in reply to the busy calumnies of the usurping government. Whether it be a tran-

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script by Lord Napier, or the original draft, composed in conjunction with his illustrious pupil, does not appear. The style is equally characteristic of them both, for reasons already stated. In all probability this was occupying their attention when it would have been more for their immediate advantage to have been guarding against the stealthy march of the future Lord of Newark. This much is certain, that it must have been the last laborious exercise of the pen by Montrose's venerable relative, who had vainly hoped that it would form a conspicuous and happy page of his projected 'History of the Troubles.' It has not been preserved among the Napier papers, and most probably was taken along with Montrose's own papers at Philiphaugh. The manuscript is in perfect preservation. But the loose orthography of the period detracts so much from the modern reader's appreciation of this vigorous and indignant Remonstrance, that, in justice to Montrose, we must print it here divested of that uncouth appearance to the eye which it has contracted during an abeyance of two centuries.[1]

[The Remonstrance of Montrose, 1645.]

Whereas it hath pleased the Commissioners of the pretended General Assembly summarily to excommunicate us, against our Saviour's own rule, and judgment of our reformed Divines, (and the Brownistical faction over-ruling our Church for the time, and the General Assembly, do ratify and approve their impious and perverse proceedings against us), and to declare us unworthy to be esteemed members of this our mother Kirk,—as also the pretended Parliament to presume to forfeit us, meddle with our estates, and thereby declare us unworthy to carry or enjoy our inheritance as others his Majesty's subjects,—we have thought fit, for our own clearing, and the Country's satisfaction, to emit this our Remonstrance to the view of the world, that all, in whose bowels remains so much as one spark of

[1] No other liberty is taken with the document in the text than to modernize the orthography. It will be found in the Appendix as originally written.

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Christian charity, may perceive the lawfulness of our proceedings, and so approve us,—our malicious and bloody persecutors[1] be condemned for their unlawful proceedings against us,—our friends and favorites, suppressed by tyranny of the subject, may be animated and encouraged to share with us: In doing whereof we shall follow this method:—

FIRST, shew the occasion of our just revolt from these Usurpers.

SECOND, the just grounds of our proceeding against them.

LASTLY, we shall clearly vindicate ourselves from those false aspersions laid upon us by them.

I. For the first, our revolt from them shall be best perceived by our progress with them, and their like ways where we left them. Our progress with them, to confess, was so far that we could not go further with a safe conscience the when we perceived the unlawful designs: For settling of our Religion and the peace of our disturbed nation we gave way to more than was warrantable; but, having obtained what was desired for the benefit of Church and Country, could not choose but keep what we had found, *and suffer them to deviate without us*, together with the multitude misled by them; as shall be, by God's grace, cleared by us in this Remonstrance.

It cannot be denied, neither ever shall be by us,[2] that this our nation was

[1] The blood of subjects shed by subjects, without just cause or lawful authority, during the Troubles, first flowed upon the scaffold in Scotland at the fiat of Argyle and his clergy. This party determined to destroy Montrose, from the moment he evinced his inclination to discriminate between reform and rebellion. Without any charge that could stand the light of day, he and his relatives were cast into prison under a ridiculous accusation of high treason, and there kept between life and death, and subject to every privation and insult, during the King's visit to Scotland in 1641, which Montrose had been the chief means of promoting. When the purpose of the Argyle faction was served, they were released with the worst possible grace. Having raised the royal standard in Dumfries in April 1644, Montrose was excommunicated of that date by the General Assembly, and condemned and forfeited for high treason, by the usurping Parliament, in 1645.

[2] Our intelligent correspondent had mistaken the nature of this Remonstrance, when he supposed it to be a mere stroke of policy on the part of Montrose, inconsistent with his real sentiments, for the purpose of carrying along with him the feelings of the south of Scotland, as regarded the original Covenant. This Remonstrance, much too strongly expressed not to have been in earnest, obviously was intended as an appeal to the whole country prior to the meeting of Par-

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reduced to almost irreparable evil by the perverse practices of the sometime pretended Prelats; who, having abused lawful authority, did not only usurp to be lords over God's inheritance, but also intruded themselves in the prime places of civil government; and, by their Court of High Commission, did so abandon themselves, to the prejudice of the Gospel, that the very quintessence of popery was publicly preached by Arminians, and the life of the Gospel stollen away by enforcing on the Kirk a dead Service-book, the brood of the bowels of the Whore of Babel; as also, to the prejudice of the Country, fining and confining at their pleasure; in such sort, that, trampling upon the necks of all whose conscience could not condescend to be of their coin, none were sure of life, nor estate, till it pleased God to stir up his own instruments, both in Church and Police, for preventing further, and opposing, such impiety.[1] In the which it cannot be denied we did pray for, and by all lawful means seek, redress of these evils, by Supplications, Declarations, and Protestations: All so little prevailed that we were constrained to *renew* our Covenant,[2] as the only safest and fairest way for preservation of Religion and Liberty; which was [so] opposed by the Prelates and their adherents that by [mis]information they moved our dread Sovereign to threaten us on both sides with arms, and by a Navy under the conduct of James Marquis of Hamilton *the prime fomenter of these misunderstandings betwixt the King and his subjects;* whereby we were constrained to put ourselves in a posture of arming for our own defence, till it pleased God that the King's Majesty, being informed of the lawfulness of our

liament, which Montrose had just been commissioned by his sovereign to hold in Scotland. Montrose became a devoted loyalist, but still he was a true Presbyterian. He never swerved from his subscription of the original Covenant; but he abhorred, and with a rational discrimination, that traitorous and ruinous revival of it, against which he made war, the 'Solemn League and Covenant.' On the eve of his execution he thus expressed himself in prison to his clerical tormentors:—'Bishops, I care not for them; I never intended to advance their interest. But when the King had granted you all your desires, and you were every one sitting under his vine, and under his fig-tree, that then you should have taken a party in England by the hand, and entered into a League and Covenant with them against the King, was the thing I judged my duty to oppose to the yondmost.'—(Life and Times of Montrose, p. 485.)

[1] This, written at the culminating point of Montrose's victorious career, is as unjustly severe against Episcopal government as the bitterest Covenanter could desire.

[2] The Covenant of 1638 professed to be a renewal of King James's Covenant, or Negative Confession of 1580.

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proceedings and honest intentions, for the most part was graciously pleased to accept of our petitions, and grant us a lawful General Assembly, to be held at Edinburgh,[1] wherein the Acts of the Assembly of Glasgow were ratified without so much as a show of opposition by his Majesty's Commissioner, conform to the conference and capitulation at the camp of Berwick. But the members of the said Parliament, some of them having *far designs* unknown to us, others of them having found the *sweetness of government*, were pleased to refuse the ratification of the Acts of Assembly, with the abjuration of Episcopacy and Court of High Commission introduced by the Prelates, unless they had the whole *alleged* liberty due to the subject; which was in fact intrenching upon *authority*, and the total abrogation of his Majesty's royal *prerogative;*[2] whereby the King's Commissioner was

[1] This Assembly met at Edinburgh upon the 12th of August 1639, Traquair being Commissioner. 'Upon the 17th of August,' says Guthry, 'the Assembly made an act condemning Episcopacy as unlawful, and contrary to the Word of God, whereunto the Lord Commissioner gave his consent; and also upon the 30th day the Assembly made another act, approving and ratifying the Covenant, and ordaining the same to be sworn unto and subscribed by all the members of the kingdom, whereunto also his grace assented.'—(Memoirs of Bishop Guthry, p. 62.)

[2] This precisely confirms Bishop Guthry, who says,—'The Parliament sate down upon Saturday the 31st of August, the Lord Commissioner being present therein. All the acts of the Assembly were ratified by Parliament, with his Grace's allowance, and then it was expected that the Parliament should have arisen, being only indicted for that end. But the leaders of the cause *had further projects;* and, instead of rising, proposed a number of new motions concerning the constitution of Parliaments, and other things never treated on before, whereanent the Commissioner told them he had no instructions. *Montrose argued somewhat against those motions,* for which the zealots became suspicious of him that the King had turned him, at his being with his Majesty in Berwick. Yet they seemed to take little notice thereof; only the vulgar, whom they used to hound on, whispered in the streets to his prejudice; and, the next morning, he found affixed upon his chamber-door a paper, with these words written in it:—*Invictus armis, verbis vincitur.*'—(Memoirs, p. 65.)

Lord Mahon, in a spirited and flattering abstract of the Editor's Life of Montrose, (Quarterly Review, No. CLVII., Dec. 1846, vol. lxxix. p. 6), has this, among a few other somewhat crude objections:—'We altogether disbelieve a story told by Bishop Guthry, and repeated by Mr Napier without objection, that Montrose at this time found affixed to his chamber-door a paper with the words *invictus armis verbis vinci-*

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constrained to rise and discharge the Parliament, and was urged to levy new forces to suppress their unlawful desires: And fearing lest their unlawful desires, and our flat refusal of his Majesty's offer, conform to the conference foresaid, should have moved his Majesty to recal what he had condescended unto, to the prejudice of Religion and Liberties of the subject, and, on the other hand, calling to mind the oath of allegiance, and Covenant subscribed for the maintenance of his Majesty's honor and greatness,—wrestling betwixt extremities, and resolved rather to suffer with the people of God for the benefit of true Religion, than to give way to his Majesty in what then seemed doubtsome, and being most unwilling to divide from them we were joined with in Covenant,—did *still* undertake with them, till, having obtained our desires to the full, conform to the conference had with his

tur. Such an inscription is clearly framed on a view of Montrose's later exploits; in 1639 he had yet done nothing to deserve the high compliment, *invictus armis*.' How so? The noble reviewer overlooks the fact that it was a *covenanting* compliment, and that Montrose, in arms for the Covenant, had been constantly successful. He subdued Huntly in the north, and brought him prisoner to Edinburgh; he attacked and routed the allied loyal barons of the north, who had defeated the Master of Forbes; he took Aberdeen, and he was termed that 'valorous and happy gentleman,' by Robert Baillie, who then had no other objection to him than 'Montrose's *too great lenity* in sparing the enemies' houses.' With but eight hundred Covenanters in arms, and a few rude field-pieces, he defeated (proh pudor!) an army under the royal standard, of 'four thousand foot and horse, as gallant and resolute and well-appointed men,' says James Gordon, 'as were to be found in Scotland,' led by Aboyne, Colonel Gun, and Sir John Gordon of Haddo. The royal army fled before him, and were scattered. He then carried the bridge of Dee, which was desperately defended by Colonel Johnston, and again took and spared Aberdeen. This was in the month of June 1639, and his interview with the King at Berwick was in the month of July 1639. Thus the popular covenanting compliment, *invictus armis*, is perfectly accounted for. The idea that Guthry, who was personally acquainted with Montrose, and doubtless knew the fact from him, had *invented* such a story, 'clearly framed on Montrose's *later* exploits,' to which, nevertheless, the legend could have no possible application, is preposterous. The story is of little consequence, but is no more to be disbelieved than that other story that Montrose was hanged. By the way, Lord Mahon also disbelieves that Montrose conceived the last words and dying speech, that were never before disputed to be his, and which stand recorded as his by the covenanting Lord Lyon on the very day of his execution. This shall be cleared up in its proper place.

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Majesty's Peers at Rippon,[1] with many other points alleged appertaining to the liberty of the subject (unheard of till his Majesty was present in Parliament,) all which his Majesty was pleased to ratify in Parliament with his own presence, till they could ask no more,—thus far we went on till having obtained all which by our national Covenant we could ask or crave,—all which we are resolved to stand by to the uttermost of our power:[2]—But finding the prevailing party to intend more than they did pretend, which we do perceive tends greatly to the prejudice of our reformed Religion, ruin of lawful authority, and liberty of the subject, *contrary* to our national Covenant,—we were constrained to suffer them to deviate without us, with the multitude misled by them, whose eyes they syll in what concerns Religion, and hearts they steal alway in what concerns Loyalty: AND THERE WE LEFT THEM.

1st. Which was perceived by us: *First*, in the refusal of our [Sovereign's] ratification of our reformed Religion at Glasgow and Edinburgh, with the abrogation of the late novations in civil Government introduced by the Prelates and their adherents, viz., the Court of High Commission, without encroaching upon his Majesty's royal prerogative, contrary to the articles agreed upon at the camp at Berwick, which their desire was fomented by the Brownistical faction of the ministry.

2d. The *second* cause of our just proceeding was their attempts to establish a new Government at our going to England, by convening the country, and giving commissions not only tending to the prejudice of authority, but also to thrall *subject* to *subject:* And this was their account; to draw our armies from Newcastle to York, to invade his Majesty, without sending commissioners to treat with his Majesty, unless it [had] been prevented by us, and such as loved to be both religious and loyal.[3]

[1] At the treaty between the English and Scottish Commissioners, in 1640, 'when,' says Hallam, 'in the alarming posture of his affairs, Charles had no resource but the dishonourable pacification of Rippon.'

[2] It must be kept in mind, that this Remonstrance was framed when Montrose had completely conquered covenanting Scotland, and was expecting to join forces with the King at the Borders. Moreover, he had just received a commission from the King, which clothed him with the royal authority in Scotland, and empowered him to assemble a Parliament. His determination, under these circumstances, to issue such a manifesto, so strongly adhering to the original Covenant, so much of which had justly roused the royal indignation, proves him to have been not a mere loyalist.

[3] Many depositions upon oath were taken

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3d. A *third* cause was the casting of the King's favourites, whom they knew were mindful to maintain his Majesty's honour and greatness, and incarcerating such of us *indicta causa* as they conceived would oppose their rebellious and unreasonable attempts. All this, and more of the like, we did comport with, for the peace of our country; and, God is our witness, were most willing to pack up all private injuries, which we profess ourselves this day to be far from resenting, if the *last and greatest* had not followed, viz., the joining in league with the *Brownists* and *Independents* in England, to the prejudice of Religion, and [with] the factious remainder of England, to the prejudice of authority, and liberty of the subject: In which league we perceived Presbyterial Government, sworn to by us, to be esteemed loose, and subjects obliged to take arms against their Prince, for maintenance of the liberties of the Parliament of England, which they knew not,—the abolition of Episcopacy out of that kirk, contrary to the mind of the most part of the subscribers of our National Covenant, and the contentions of the Assembly at Glasgow, men obliged to blind obedience, involving the subjects in perjury and disloyalty, with many other absurdities couched in the said league;[1] which league

by the Committee of Estates in the month of June 1641, with a view to the 'processing' of Montrose. A selection from these will be found among the documents printed in this Part. Mr Robert Murray, minister of Methven, deponed, that Montrose had declared to him, that 'there was a bond drawn up, and offered to be subscribed, for establishing a particular man benorth Forth, by which the subjects were to be obliged in fidelity and fealty, and that the Earl refused to subscribe it, but rather should die or he did it.' Mr John Robertson, minister of Perth, deponed to the same effect, adding, 'that the Earl affirmed that the foresaid bond anent the rule benorth Forth, was offered to his Lordship, to be subscribed by him, at Chowsly Wood, before the army crossed Tweed.' Montrose's peremptory rejection of this unconstitutional scheme for establishing the supreme sway of Argyle over Scotland, who was proposed for *Dictator*, defeated it for the time. Montrose not only rejected it, but endeavoured to countermine it by means of a bond, to which he obtained the signatures of many noblemen at Cumbernauld, the seat of the Earl of Wigton, one of his curators. This bond, which declared adhesion to the Covenant, and a determination to support the liberties of the country against 'the particular and indirect practising of a few,' was prematurely detected by Argyle; but it crossed his project of a Dictatorship. Hence the monster indictment against Montrose in 1641; and his incarceration during the King's visit to Scotland in that year.

[1] In his History of the Church of Scotland, Dr Cook, himself an ornament and

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we were either constrained to subscribe against our conscience,—as many were constrained to do, for which God give them repentance,—or otherwise to go to perpetual prison, or quit their country and estates: But, not daring to make shipwreck of conscience, we resolved to leave the country,[1] and, if it had been possible, to have lived under the shelter of our Prince in our neighbour nation; but finding there was no time for dallying, nor place for lurking, but, on the contrary, all constrained to *kyth*[2] what they were, and being pressed with a lawful calling to undertake what we had sworn in our National Covenant, found ourselves bound in conscience to take arms for the defence of our reformed Religion, and maintenance of his Majesty's honour, and liberty of the subject, rather than suffer ourselves to be misled by the misinformed multitude, in prejudice of the premises.

II. Thus having shown the occasion of our revolt from them to be their revolt

pillar of that Church, affords a remarkable justification of Montrose's estimate of this nefarious compact: He says—'Alluding to the Solemn League and Covenant, it must not be kept out of view, that the whole of its spirit was in direct opposition to the spirit of Christianity, breathing an intolerance that sapped the most sacred of those rights which it was one of its avowed designs to secure, vesting a Protestant community with powers inconsistent with the fundamental principles upon which the Reformation had proceeded, and particularly destroying that free exercise of private judgment, for which the first, to their immortal honour, had strenuously contended.'—(Vol. iii. p. 64.) This eminent Presbyterian Divine, and able historian, would have done more justice to the character of Montrose, had he been aware that his own sentiments were none other than those which our hero entertained, and consistently with which he acted.

[1] This passage is one of several in the context, which proves unequivocally, that, though the MS. be Lord Napier's autograph, we must understand that *Montrose loquitur*. Napier did not accompany Montrose, when the latter escorted the Queen to York at the commencement of the year 1643, but remained in Scotland, and was eventually cast into prison, with all his family, and there kept until released by Montrose after the battle of Kilsyth. Still less can there be any doubt as to the Scotchman who, at this time, found himself pressed with a lawful calling, and bound to take arms. Baillie, in a letter to Spang, dated 18th February 1643, says—'Our heart-burnings increase, and with them our dangers; so much the more, as Montrose, Ogilvy, and Aboyne, *who this long while have been very quiet*, are on a sudden to the King; for what, we cannot tell.'

[2] *Kyth*, that is, to make manifest, to declare themselves on one side or other.

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from their National Covenant, and deviation from the way of truth, in the next room we shall remonstrate the ground of our present proceedings.

1st. The grounds are nothing else but the ground of our National Covenant. The *first* is the maintenance of our Religion, with the abolition of Episcopacy out of this Kirk; which, in effect, was nothing else but the restoration of that which our first Reformers had before Prelacy,—as is clear by our many declarations and protestations made to that purpose,—which, we believe, was then as free of Brownism as of Prelacy, [and] which if we knew to be altered, we protest in God's sight we should be the first should draw a sword in defence thereof: But now, finding the *outcasting of the locust* to be the *inbringing of the caterpillar*, as is evident from the alternative, *or*, in their Directory, by which is given way, and a door open, to their worship and government,—but as the one, viz. Episcopacy, is abjured by us, so the other is no less hurtful unto us,—resolving, then, to eschew the extremities, and keep the middle way of our reformed Religion, we, by God's grace and assistance, shall endeavour to maintain [it] with the hazard of our lives and fortunes, and [it] shall be no less dear to us than our own souls: WE TAKE ARMS FOR THE DEFENCE THEREOF.

2d. The *second* ground is the maintenance of the King's honour and greatness, which when they could not find a way to diminish among ourselves by any legal course, [they] have now found a way by the factious and tumultuous uproars in our neighbour nation, with whom they have joined themselves in an unlawful league, tying themselves to the like sedition, and have prosecuted their rebellious attempts by levying arms against him,—entering in our neighbour nation,—taking of his Majesty's towns and forts,—contrary to our Covenant and promise to his Majesty at Parliament and Pacification,—all invincible arguments of base disloyalty and high rebellion; which to recall and repress, we shall, God assisting, ever endeavour.

3d. The *third* and last is the vindication of our nation from the base servitude of subjects, who, like the Israelites, have their burdens doubled, but are not sensible of them; which, before we endure, we shall rather undergo the hazard of all that man can do to us. On these grounds, and no other grounds, God is our witness,—who is the searcher of hearts, before whose tribunal we must all one day appear and give a reckoning,—that we are, and shall be, most willing to lay down arms on these terms, and whensoever these conditions shall be condescended unto: But, by the contrary, or we suffer ourselves to be bereft of any of these, rather to be bereft of our lives and fortunes.

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III. These being the grounds of our proceedings, in the last room we shall clear ourselves of the false aspersions laid on us.

1st. And *first*, our enemies brand us as perfidious revolters from our Covenant, which, we are bold to aver, none dare do but such as have perfidiously violated their National Covenant, by novations introduced in the Kirk, by rebellion against our Prince, and [oppressing ?] of his Majesty's subjects to the loss of their lives, and ruin of their estates, [as] is more than manifest in them by their unlawful league, levying of arms, and going to England, and impositions unheard of under which the land groaneth; for relief whereof we are willing to suffer, to spend and be spent, though the more we love the less we are loved.

2d. *Secondly*, they brand us with a note of *malignancy*, and disclaim us as unnatural countrymen, coming against our country in an hostile way. We answer, we never intended to come *against* our country, but *for* our country, and clad with a commission for reforming the abuses thereof; though many love so the flesh-pots of their own pleasures, that they cannot part with their particulars on any terms; others stand in fear of arms, and are afraid to do what they would do on *assurance* of victory, but dare not *hazard* any thing for Religion, Prince, or Country; willing rather to be bereft from them by usurpers, than to strive to enjoy what they have by lawful authority; and are so stuffed with infidelity, that they can believe nothing but what they see, and can commit nothing to God;[1] a third sort so mis-

[1] Montrose obviously alludes to the miserable support which he had from the loyally inclined nobility of Scotland, and especially to the conduct of Huntly. Jealousy dictated this backwardness in the cause of order, no less than want of daring. The sentiment of Montrose ever was, *do or die*. This he has expressed in various ways. In a key to some covert terms which he used, or proposed to use, in secret correspondence, we find the French terms, *venture faire*, given as the substitute for his own name. The device which he adopted for his signet, was a gulph between two pinnacles, with a lion about to spring across; and for motto, *nil medium*. This intense feeling, which he constantly cherished in opposition to the timid and temporising councils, to which he imputed the ruin of the Royal cause, burst from him in song, in that well-known verse, which is just a paraphrase of *venture faire*:—

> 'He either fears his fate too much,
> Or his deserts are small,
> Who puts it not unto the touch
> To win or lose it all.'

And on his copy of Quintus Curtius, he had penned this couplet:—

> 'So, great attempts, *heroic ventures*, shall
> Advance my fortune, or renown my fall.'

—(See Napier's Life and Times of Montrose, pp. 443—478.)

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led that they perceive not the light, nor (are) sensible of their danger; but their misleaders, like unnatural countrymen, or vipers, are wasting the bowels of their native nation for their own benefit, and as they have unnaturally killed many sent forth by them, so let them take malignancy to themselves, as having kindled the coal, fomented the flames, and, by disturbing the peace of the country, like salamanders live in the fire of contention; which we trust, in God's own time, shall be extinguished, to the honour of his name, to the re-establishing of lawful authority long since established, and vindication of the nation from the servitude of the subject, so miserably enthralled by them.

3d. *Thirdly*, They disclaim us, as enemies to Religion, as having joined with Major Macdonald,[1] a professed papist, who with us seeks the ruin thereof: For answer, God knows the contrary, and our reformed religion shall be more dear to us than any thing can be in this life. As for joining with Major Macdonald, we marvel why they should think that which was lawful for them should be unlawful for us, and if they had greater liberty to make use of his Majesty's subjects than he himself had. Was it lawful for them in Ireland, under Monro,[2] to employ the

[1] Early in the month of July 1644, to the great consternation of the Covenanting Parliament then sitting, the celebrated Alaster or Alexander Macdonald, so well known in the annals of Montrose's wars by the corrupted patronymic Colkitto, descended upon the west coast of Scotland with a small fleet and about twelve hundred Scoto-Irish, miserably appointed, being the whole result of Antrim's promises at York and negotiations in Ireland. Malcolm Laing calls this Highland hero 'MacDonald of Colkitto.' Sir Walter Scott says, 'their commander was Alaster Macdonald, a Scoto-Irishman, I believe, of the Antrim family. He was called Coll Kittoch, or Colkitto, from his being left-handed; a very brave and daring man, but vain and opinionative, and wholly ignorant of regular warfare.'—(Tales of a Grandfather.) But in a 'History of the Western Highlands and Isles of Scotland,' a work of great research by Donald Gregory, Esq., whose services to History were too early lost, will be found the accurate history of Macdonald's race and name. Coll Keitach MacGillespick Macdonald of Colonsay was the father of Montrose's ally, whose proper name, therefore, was Alaster or Alexander *Mac*Coll Keitache (*i. e. son of* Coll Keitache) Macdonald. *Keitache* means left-handed. Coll Keitache, the father of him improperly called Collkittoch, was the grandson of Coll, a brother of James Macdonald of Dunyveg and the Glens, and of the celebrated Sorley Buy Macdonald, who was father of the first Earl of Antrim, and grandfather of Montrose's friend, the first Marquis of Antrim.

[2] Patrick Gordon mentions that Macdonald, when on his way to Scotland, 'took

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self-same people, and is it not lawful for us to employ them here? They had a proof of his loyalty and fidelity, till some of them sent commission to apprehend him for their own private ends, whereby he was constrained to flee for his own safety, who is now joined with us for manifestation of his loyalty to his Prince, and love to his native nation, endeavouring with us the honour of the one, and liberty of the other, and on no other terms does he join with us, nor we with him.[1] If we had not first essayed our own countrymen, who were not only obliged in Covenant with us, but also by many oaths and faithful promises to their Prince, the maker up of their estates, to whom if they had not been most ingrate (they) could not have broken (them),—there might have been somewhat alleged; but having first essayed them, and being disappointed by them, it was lawful for his Majesty, or his Commissioners, to make use of any his lawful subjects, rather than to suffer his authority to be trampled under the feet of subjects, or his Majesty's subjects to be brought in bondage with their equals. Then if any in this point be blameworthy, it is those who deceived his Majesty with hopes most traitorously.[2]

4th, And, finally, we are disclaimed as traitors and bloody rebels. Answer: Traitors we are not, to God, nor King, nor Country. Not to God, because we stand and fall, by God's assistance, for the reformed religion, as said is in truth and discipline; but those are traitors to God and his Church that open a door to *Brownism* and *Independency*, both in worship and discipline, which we offer us to prove by production of the tenets of the Brownists and Independents,[3]

two ships, sent by the Covenant with victuals to Monro, for maintenance of their army in Ireland, whereof Colonel Monro was commander.'—(Britain's Distemper, p. 65.)

[1] This allusion to the preliminary history of Macdonald is cleared by reference to Patrick Gordon's MS. (printed for the Spalding Club, 1844), who says,—'This Alexander Macdonald was one of the most brave and resolved gentlemen in all the Highlands of Scotland. He was the second or third son of a gentleman of the clan Donald, who had an ancient possession of his predecessours of an island on the west sea, to the which it seems that Argyle had some claim, for he had taken the old man, and two of his sons, whom he kept in straight prison. This Alexander, to show [eschew?] the weight of his malice, who was too strong for him to contend with, had fled over into Ireland, where, siding with that nation against the English and Scotch Covenanters, he performed such notable pieces of service, as he quickly made himself known to be worthy of a great charge,' &c.—(See pp. 63, 64.)

[2] Alluding to the councils of Hamilton.

[3] Patrick Gordon thus writes of the Brownists, under the year 1649:—'But

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contrary to our religion by our first Reformers (which we professed to be our seeking), and the intention of our late Reformers, which being compared with their directory, shall be more evident. Traitors to the King we are not, for we go about his Majesty's expedition, according to his *express mandate;* and those are traitors to his Majesty that *brangles* his Majesty's authority, pertaining to him *jure hereditario;* that meddle with his Majesty's revenues, and employ them to their own use; that abuse his Majesty's trust put upon them, as if all their treacheries were done by his authority; that traduce his Majesty to his subjects, as an enemy to Religion; that carry arms against him to cut short his authority in England, belonging to him by conquest of his Majesty's predecessors, and do directly

what was the Puritans' part, who ruled the rest of the clergy at their pleasure? Their part, forsooth, was this: they call a General Assembly; they oppose themselves to the raising of an army for the relief of the King; they give such reasons as cannot satisfy any ordinary judgment, since he had offered to perform all which they allege was not yet performed; nor stood the performance at him, but at them. And yet they stand so obstinate against his relief, the whole kingdom begins to see what they aimed at in the broaching of the Covenant, and in their continual fomenting of all means to uphold it, though they saw the whole kingdom in general, and all estates in particular, ruined by it; they hoped by this Covenant, which they value at so high a rate, to put down monarchy. That is their design, and that has ever been the concealed tenet which all Puritans from the beginning have ever held for the main maxim of their ecclesiastical state policy; there must be a parity in all estates; all must be brother in the Lord; and therefore as in the body of the Church we are all members, and Christ is our head—no superior, no prelat; so in the civil and politic body—no superior, no absolute monarch. This tenet is well known to have been ever held in private amongst Puritans, till Master Brown, an English Puritan preacher, did boldly vent it abroad, and that with some addition, that monarchy was not only unlawful, but magistracy also; yea, he went further, teaching that there was no degrees of places or persons, as Gentlemen, Esquires, Knights, Lords, Earls, and so forth of Dukes, Princes, Kings, and Monarchs; all are men, no difference of persons before God, where all things are in perfection; and therefore no difference of persons here, where we are bound to strive for perfection. This is the chief tenet that all the Brownists and Independents at this day hold all their new errors upon; and how fair soever the Puritan preachers in this kingdom carry themselves, they are not Protestants in this point, but mere *Brownists;* for they allow of all that Master Brown taught concerning this parity, and levelling all degrees to the degree of the common people only.'—(See p. 227.)

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set their face against the sacred person of the Lord's anointed. Such damnable treacheries the Lord will recompence. Traitors to our Country we are not, but we endeavour the liberties thereof; but those are traitors, who, deceiving the Country in making them believe that the religion is in hazard, when it is not, blessed be God; that the King seeks the overthrow thereof, which is far from him, as we have by many attestations from his Majesty, as also is made notorious by his Majesty's printed declaration, more worthy of credit than the public faith of some private committee-men that foment misunderstanding betwixt the King and his subjects, that oppress the Country with subsidies, and new-devised excises, pressing them to take arms against their Prince, take up the revenues under colour of maintenance of war, when the soldiers have free quarters in the Country, and, in a word, expose the Country to the loss of their lives and estates, for their own ends; of this they dare not deny themselves guilty, being compassed with such a cloud of witnesses. Then let the indifferent auditor judge whether they or we be traitors to God, King, or Country; and as for rebellion, it hath been so far from us, that all who have but common sense may perceive our repression of rebellion, as being sent from our Prince for that effect; and shall still, God assisting, continue, till this wickedness be taken off from the land. And as for *shedding of blood*, it is so far from our intentions, that, God knoweth, if it were possible, we would by all means shun the same; neither ever did we shed the blood of any but of such as were sent forth by them to shed our blood, and to take our lives, whose blood we shed in our own defence; and what is done in this kind, it may be sensibly seen to be the Lord's doing, in making a handful to overthrow multitudes; neither will the Lord's sword be put in till the rebels repent them of their rebellion, perjury, and oppression; and what the sword does not, the Lord will by his other plagues perform, till those that be secrete in their holds perish with those that are in the fields, and the tall cedars fall with the little bramble.[1] *So let all thine enemies perish, oh Lord, and let all those that love thee be as the sun when he comes forth in his might.*

Thus having remonstrated the lawfulness of our proceedings, let all hereby receive warning who tender the reformed religion without innovations, the reigning of lawful authority over us,—which to want, experience does now teach us what

[1] Within a few years from the date of this prophecy, the tall cedars fell fast and thick. Hamilton and Lanerick, Huntly and Aboyne, Montrose himself, Traquair, Argyle and his son, all perished in 'the Troubles,' and most of them on the scaffold.

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it is, to the simplest that love the enjoyment of our liberties, and to be freed from subsidies and excises, excessively imposed on the subjects,—let all, we say, receive warning to join with us, and leave off longer to follow the rebellious courses of usurping traitors, assuring all who will fully persevere in their perverse ways, and so partake what their sins shall likewise partake of, the punishment—FINIS CORONAT OPUS.

At the battle of Kilsyth, the whole foot regiments killed and totally routed. Prisoners taken that day: The laird of Ferney, a colonel for Fife; Lieutenant-colonel Wallace; Lieutenant-colonel Levingston; Lieutenant-colonel Dick, Westquarter; Sir William Murray; Rout-master Abercromby; Major John Moncrieff; Major Lockhart; Captain Lad; Captain Paterson; Captain Lundy; Captain Monteith; Captain Mercer, son to [Mercer of] Aldy; John Bain Macnab; Captain Baillie; Captain Crawfurd; Captain Lieutenant Cunningham; William Moncrieff of Kindullo; Cornet Hume; Lieutenant Johnston; Stephen Paterson; Mr Thomas Kirkaldy; Mr Frederick Carmichael; Captain Ruthven; and sundry others were had; the laird of Cambo, and many gentleman killed; Glenorchy and Dunbarro.[1]

Whatever may be thought of Montrose's sentiments, regarding episcopal power in the State affording a good excuse for the Covenant of 1638, one cannot read this spirited Remonstrance, now first disclosed since it was penned in 1645, without feeling satisfied of its perfect sincerity,—that, in so far as regards his own conduct and motives, it tells the truth, the whole truth, and nothing but the truth. He was only in his twenty-fifth year when induced to join an agitation, which the more it is examined in detail, and the further its progress is traced, the more

[1] This list is not to be found any where else. Patrick Gordon merely says, 'there were many prisoners taken, of colonels, captains, and other commanders,' (p. 145.) Wishart enumerates a few: 'In captivis erant Wilielmus Moravius eques, de Blebo; James Arnottus, Burglæi reguli frater; Dicius quidam, Wallasiusque, tribuni militum; et alii quàm plurimi; quos Montisrosanus in fidem receptos liberaliter habuit, et data fide, *dimisit*.' Montrose invariably treated his prisoners with humanity, and even politeness. The conduct of the party that heaped abuse upon him as a 'bloody murderer,' was as invariably the reverse.

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disgraceful to the character of Scotland does it appear. There is much in the phrase of that fantastical enthusiast Baillie—'The *canniness* of Rothes brought in Montrose to our party.' Another important piece of evidence, that the false position of Montrose in his early career was neither the result of sudden passion, nor of immediate or intuitive conviction, will be found among the documents printed in this Part. From an original deposition, preserved in the Advocates' Library, it appears that Montrose himself named a clergyman as having laboured zealously to effect his conversion. 'Thereafter my Lord says to the deponer, "you were an instrument of bringing me to this cause. I am calumniated and slandered as a backslider in this cause, and am desirous to give you and all honest men satisfaction."' This deponer is Mr Robert Murray, minister of Methven, the clergyman upon whom, preparatory to the great meeting, 15th November 1637, at which Montrose first took a part in the agitation, 'it was laid to *travail* with them of Perth and Stirling shires,'—that is to say, to labour in their conversion to the Cause. Upon his first perception of the unprincipled democracy of the movement, Montrose 'argued,' in their great conventions, that the King's concessions were ample, and that the prerogative was sacred. When he found that his arguments were utterly unavailing, and only exposed himself to deadly persecution, his object was to withdraw from the movement, with consistency to his principles, and safety to his life. That this change, not in his own sentiments as to state policy, but in his position with, and reliance upon, the leaders of the revolution, was suddenly effected by a few kind words addressed to him by the King at Berwick, is a silly fiction, which he does not even condescend to notice in the above Remonstrance, although the popular sneer had been affixed to his chamber door, couched under the brocard, *invictus armis verbis vincitur*. Baillie attempts to give

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more plausibility to the charge of mean and childish motives of action, when, affecting to be circumstantial, he says, in a letter to his kinsman, dated 25th April, 1645: 'When the canniness of Rothes had brought in Montrose to our party, his more than ordinary and evil pride made him very hard to be guided. His first voyage to Aberdeen made him swallow the certain hopes of a Generallat over all our armies; when that honour was put on Leslie, he incontinent began to deal with the king; and when we were at Dunse Law had given assurance, and was in a fair way of performance (had not the honesty and courage of Marischall prevented it), to have given over the whole north to the enemy. When our voyage to Newburn came in hand, by his *damnable Band*[1] he thought to have sold us to the enemy; thereafter he was ever on correspondence for our ruin.'

Montrose's own account of his principles of action are far more worthy of credit than such vague assumptions, in a moment of irritation, by a narrow and clouded mind, judging a character it was incapable of appreciating. The natural bent of Montrose's genius was to arms; and there can be little doubt that the continued bustle and excitement of his early martial career for the Covenant, and the brilliant success which attended the young commander, dazzled his moral perceptions for a time, and prevented his suspecting, so soon as he might otherwise have done, that the goal of the movement was indefinitely prolonged, and that the race, in which he soon drew up, was anarchy and ruin. It was mainly the canniness' of Rothes, too, that conferred the 'Generallat' upon Alex-

[1] Montrose's bond, signed by him and various noblemen at Cumbernauld, in the month of August 1640, and which will be found in its place in these Memorials. The first signature attached to the 'damnable Band,' is that of *Marischal*, whom Baillie so much commends in the above passage.

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ander Leslie rather than upon the young nobleman; and this was not simply a choice between two military geniuses, but the careful and far-sighted selection of an apt instrument for a covert design. Montrose himself never hesitated to accede to the plausible excuse that the selection would stay all jealousies among competing nobles, and his signature is attached to Leslie's commission. That he had 'swallowed the certain hopes' of this equivocal honour, is an assertion without probability. But were it so, the inference which Baillie would insinuate is manifestly false. None knew better than the councillors of the Covenant, none knew better than the 'canny Rothes,' that had the mistaken ambition alleged been gratified, not one step beyond the principles announced in the above Remonstrance, would their young *invictus armis* have led the soldiers of the Covenant. His progress with Rothes, Loudon, and Argyle, in the direction and to the end they proposed, would not have been prolonged a day, by his command of their armies. They had already found him 'very hard to be guided.' They had discovered that his military genius was rendered more dangerous than useful to them by the leaven of a lofty mind and humane dispositions. This is what Baillie terms 'his more than ordinary and evil pride;' for every virtue that seemed opposed to the evil courses of the Cause, found its equivalent term of enormous vice in the vocabulary of the Covenant. In appreciating Baillie's estimate of Montrose, we must ever bear in mind that his first quarrel with the hero was for his *humanity*,[1] and that this clergyman of the Covenant did not

[1] Baillie's 'first characteristics of Montrose are,—'generous and noble youth,'—'valiant and noble youth,'—'most valorous and happy gentleman.' But mark his objections to him. He speaks of 'Montrose's *too great lenity in sparing the enemies' houses.*' And this was Baillie's constant complaint against Montrose in arms for the Covenant: 'The *discretion* of that generous and noble youth was but *too great*,'—all was *forgiven* to that unnatural city,' (loyal Aberdeen). 'We had been too great fools not to disarm

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blush to announce that he rejoiced in, and applauded as just, the most cowardly assassination, the foulest murder, that stains the annals of those times.[1]

The original documents printed in this Part all tend to illustrate and to verify the recently discovered Remonstrance of Montrose. It is not without reason that he there so energetically reclaims against the calumnies of his political persecutors. Rumours of 'wicked plots, desperate, devilish, and new,' hints mysteriously propagated of the providental discovery of some projected 'woful misery, and bloody butchery,'—as a means of keeping the public mind in a constant state of inflammation against all rational opposition, was one of the great arts of democracy, and our histories are still haunted by the murky calumnies that arose out of the system. The leaders of the movement in Scotland, as Montrose expresses it, 'some of them having far designs unknown to us, others of them having found the sweetness of government,' established at the very outset of their career the most powerful and oppressive engine of their revolt, criminal processes namely, devoid of every principle of justice, concocted and matured *per fas et nefas* by their own committees, and brought before their own lawless and subjugated conventions. The pursuit of 'Incendiaries,' as Montrose found to his cost, quickly suc-

that country altogether, and use *some severity* for example among them; at that time they had no reason of complaining, but greatly to commend our leaders' courtesy.' (See letter to Spang, 28th September 1639). In the face of this his favourite contemporary authority, Mr Brodie is so reckless as to speak of Montrose's '*terrible vengeance* on Aberdeen for refusing the Covenant.' (Vol. iv., p. 271.)

[1] Baillie identifies himself with the worst characteristics of his school, in this lamentable sentence: 'Kilpont's treachery,'—in having joined the royal standard,—'is *revenged* by his death, *justly inflicted*;' alluding to the brutal assassination of the innocent Lord Kilpont, by his pretended friend and ally, Stewart of Ardvoirlich. (Letter to Spang, 25th October 1644.)

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ceeded that war of extermination against the Scottish Bishops to which unfortunately the young nobleman was a party, and for which his Remonstrance affords no adequate defence. All men of any weight in the country, who would not bow to the Covenant, every servant of the King, enjoying place, and not of the extreme faction, were denounced as incendiaries,—the very term being intended to prejudge individuals against whom there was no case,—tried by that anomalous jurisdiction where the secret influence of Argyle was omnipotent, while at the same time the King's prerogative of mercy was excluded, and his prerogative of filling up official vacancies so occasioned, seized upon as the privilege of that same democratical tribunal. Such was the political system of Argyle and his congenial clergy, who found a most efficient instrument in the lawyer Archibald Johnston of Warriston, whose councils obtained for the scaffolds of the Covenant the characteristic of 'shambles,' and who never ceased to protest in the name of God against mercy.

'Unpitying prompter, of the Judas crew
That from the book of life death-warrants drew,
Preachers, not pastors, redolent of blood,
Who cried "Sweet Jesu," in their murderous mood,
Obscured the fount of truth, and left the trace
Of gory fingers on the page of grace.'[1]

[1] The savage license of executing prisoners of war, who had obtained quarter on the field of battle, was peculiar to that religious sect in Scotland, who for a time obtained the ascendant, even over the Convention of Estates. In vain the good President Spottiswoode pleaded, that 'he had been taken prisoner in the field of Philiphaugh, by an officer of the Earl of Lanerick's, of whom he had first quarters given him, and thereafter was brought to the Earl himself, who ratified the same by his humane and courteous carriage to him, whereby he had reason to think himself secured of his life.' 'This unhappy war amongst us being occasioned principally out of respect to the English parliament, it would seem that their example should be a strong inducement to use the same moderations towards our prisoners which they

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The *procès monstre* against Montrose, in 1641, was suggested and concocted by this remarkable demagogue, in order to counteract the 'divisive

do towards theirs; and it cannot be instanced that ever any prisoner, during these wars in England, have been drawn in question of his life for siding with either party.' (Wigton Papers). Baillie, in his letter to Spang, dated 17th October, 1645, says: 'It is thought Johnston [Hartfell], Ogilvy, Sir John Hay, Spottiswoode, and *divers others prisoners*, will lose their heads; that *once* some justice may be done on some for example; albeit to this day no man in England has been executed for bearing arms against the Parliament.' There was some backwardness on the part of the Covenanting Parliament to embrue their hands in the blood of such men. But the General Assembly interfered, and extinguished every spark of mercy.' The Lord Lyon has noted the texts of the various clergymen who preached to the Parliament, and the speech of Archibald Johnston, the Procurator of the Kirk. Mr Robert Blair, minister of St Andrews, opened that session with a sermon on the ci. Psalm, the last verse of which is,—"I will early destroy all the wicked of the land, that I may cut off all wicked doers from the city of the Lord." On the same day, immediately after calling the roll, 'Sir Archibald Johnston had a long harangue to the House, entreating them to unity amongst themselves, to lay all private respects and interest aside, and *to do justice on* delinquents and malignants; showing that their *delaying formerly* had provoked God's two great servants against them, the sword and pestilence, who had ploughed up the land with deep furrows; he showed that the massacre of Kilsyth was never to be forgotten, and that God, who was the just judge of the world, would not but judge righteously, and keep in remembrance that sea of innocent blood, which lay before his throne crying for a vengeance on these bloodthirsty rebels, the butchers of so many innocent souls.' And, in order to ensure the 'unity amongst themselves,' which he desiderated, the same eloquent speaker urged a strict scrutiny into the sentiments of the members of that house, which he compared to 'Noah's ark, which had in it both foul and clean creatures.' Upon the 4th of December the noblemen and gentlemen in the castle of St Andrews petitioned, 'that they may be proceeded against *not by a committee*, but that they may be judged either by their peers, the Justice-General, or before the whole Parliament.' It seems that in this just and constitutional petition, which of course was disregarded, they had specially objected to the interference of the Procurator, in the criminal processes raised against them. Upon the 5th of December 'a remonstrance from the Commissioners of the General Assembly to the High Court of Parliament, for justice upon delinquents and malignants who have shed the blood of their brethren,' was read in the House; and at the same time four petitions, from the provincial synods of the most fanatical counties, were presented by about two hun-

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courses' of the young nobleman who was so 'hard to be guided.' It will be found in the Appendix to this Part, now for the first time printed from the original in the Montrose charter-chest. In this bitter and lawless persecution was involved Montrose's venerated relative, who, as we have seen, amused the boyhood of the future hero with 'ane guilded sword,' and the last act of whose public life was to copy or draft the Remonstrance in his name which has been so happily recovered. Along with the libel are preserved other manuscripts connected with the proceedings, the most important of which are also now printed for the first time. One of these is entitled,—'Replies unto the lybell, in what does touch in fact,'—which words are autograph of Montrose, the paper itself being in a different hand. It is composed in his usual style of fearless and eloquent indignation at the factious dishonesty to which he was opposed; and this characteristic trait presents itself: At the conclusion he had taken the pen into his own hand, and traced in his boldest autograph the following distich, the application of which seems to be,

dred individuals. (Balfour's Annals). The 'massacre of Kilsyth,' meaning the number slain in the heat of battle by a victorious and desultory army, affords not the shadow of an excuse for the cold-blooded revenge of the Church. Guthry, referring to the execution of Ogilvy of Innerquarity, says, that he was but a boy of scarce eighteen years of age, lately come from the schools; and upon that occasion it was that Mr David Dickson said, *the work goes bonnily on;* which passed afterwards into a proverb. (Memoirs, p. 208.) Under this influence of perverted religion, 'The House ordains the Irish prisoners taken at and after Philiphaugh, in all the prisons of the kingdom, especially in the prisons of Selkirk, Jedburgh, Glasgow, Dumbartane, and Perth, *to be executed without any assize or process.*' (Balfour's Annals.) To ensure the execution of the prisoners of rank, a sermon was preached from this significant text, 'What meaneth, then, this bleating of the sheep in mine ears?' More instances might be given to justify Sir Walter Scott's remark, 'The Presbyterian clergy thought proper to interfere strenuously between the prisoners and the mercy which they might otherwise have expected.' (Hist. of Scot., i, 452.)

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not as a mere querulous complaint addressed to the faction he despised, but a sudden and lofty abstraction, or a melancholy appeal to his country, which he had struggled to save in vain :—

> ' Hoc pretium vitæ, vigilatorùmque laborum,
> Cepimus; ingenio est pœna reperta meo.'

' This,'—as we may paraphrase it,—' this is the return for vital energies, and sleepless toil, bestowed in the cause of my country; the patriotic disposition of him whom you styled *invictus armis*, is repaid with an ignominious punishment.'[1] Thus the ebullition of strong feeling and irritation which pervades the Replies, is toned down and dignified by this elegant turn of an accomplished mind, whose tendency ever was to calm itself in converse with the classics, or the muse. Nothing is more interesting, or more remarkable in his history, than the fact that in all his moments of deepest distress, he thus soothed his troubled spirit. Wishart tells us that when the frightful catastrophe of the death of Charles I. was announced to Montrose, the shock to his system was so great, that he sank inanimate on the ground, and all his limbs became rigid as if in death. This faithful chaplain was the first whom he suffered to enter his bed-chamber for days thereafter, ' when,' says he, ' I stumbled [incidi] upon a small piece of paper containing that solemn vow of his, in the form of a brief but finely turned elegiac verse, breathing from every line the tempestuous agony of his soul: For, being a man of most accomplished genius, he was wont to relax his mind with some very happy

[1] The quotation is from Ovid, *Tristia*, II. i. 9., where the exiled poet deplores his fate, and deprecates the inexorable Augustus; but it can have no application to Charles I., to whom Montrose's imprisonment at this time was a great distress and a gross insult. The most approved reading, of the lines quoted, is ' Hoc pretium *curæ*,' &c.; but *vitæ* occurs in some copies.

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efforts of his muse, whenever he could snatch a moment's leisure from the weightier cares that engrossed it.'[1] The least occupied period of his life was that which intervened between his release from confinement at the commencement of the year 1642, and his joining the court at York early in 1643. His safety at this crisis had been purchased by his own Sovereign, at the expense of his throne in Scotland. The Monarch departed shorn of his regalia, or as the covenanting Parliament was pleased to express it, 'a contented King from a contented people,' while Gillespic Gruamach and his compeers, their brows graced with new coronets, paid their first, and last, instalment of the equivalents which they had solemnly promised, by dismissing to his home the mirror of patriotic loyalty. The few remnants of his poetical effusions that have come down to us, indicate, for the most part, the period of his transition state from the banner of the Covenant to the standard of the King, and probably were composed in the year 1642, when Baillie says of him that he had 'for this long while been very quiet.' But his spirit was chafing under the indignities it had suffered, and brooding over the unhappy prospects to King and country. The injustice and falsity of the criminal prosecution he had endured, and the forlorn state in which for a while it left him, may well be understood to have dictated the melancholy lines in which these occur:—

'Then break, afflicted heart, and live not in these days,
When all prove merchants of their faith, none trusts what other says.'

[1] From the Latin of the second part of Wishart's Commentaries, which the editor has only recently discovered among the MSS. of the Advocates' Library. This has never been printed, and must be more particularly noticed elsewhere in these Memorials. The old translations of it which have been printed are very rude and inaccurate.

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And can we doubt that the question which now agitated Scotland, whether the King's authority should be maintained, or a fresh crusade commenced against the throne, was vexing his spirit when he wrote,—

'Can little beasts with lions roar,
And little birds with eagles soar?
Can shallow streams command the seas,
And little ants the humming bees?
No, no, no, no, it is not meet
The head should stoop unto the feet.'

But the most sustained effort of his muse that has survived him, and upon which his poetical fame is founded, contains some very characteristic shudders at the clerical and committee government in Scotland, whose manifest object Montrose had now become aware was to destroy the Monarchy. There is no mistaking the feelings which prompted such allusions as these; of which we can here only afford a sample:—

'My dear and only love, I pray, this noble world,—of THEE,—
Be govern'd by no other sway than *purest monarchy;*
For if *confusion* have a part, which virtuous souls abhor,
And hold a *synod* in thy heart, I'll never love thee more.

'If in the empire of thy heart, where I should solely be,
Another do pretend a part, and dares to vie with me,
Or if *committees* thou erect, and goes on such a score,
I'll sing and laugh at thy neglect, and never love thee more.

'Like Alexander I will reign, and I will reign alone;
My thoughts shall evermore disdain a rival on my throne;
He either fears his fate too much, or his deserts are small,
That puts it not unto the touch to win or lose it all.

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I think thy virtues be too strong to suffer by surprise,
That, victual'd by my love so long, the siege at length must rise,
And leave thee ruled in that health and state thou wast before,—
But if thou turn a *Commonwealth*, I'll never love thee more.'[1]

'We are much surprised how Mr Napier can think,—or expect any reader of taste to think with him,—that these fine stanzas are only a political allegory, and denote Montrose's *love for his royal master, and anxiety to save him from evil counsellors*. (Life, p. 426.) Such a notion may, we think, be consigned to the same limbo with that of the Italian commentators who, in Dante's impassioned allusions to his long lost Beatrice, can see nothing but a personification of school-theology.'[2] So pronounces our noble reviewer; but we will not be thus hurried to *limbo*.

'Parce, puer, stimulis et fortius utere loris.'

Whether any poet should level the lyre at his Monarch through the sides of a Mistress, and make love a stalking-horse to loyalty, may be question of taste. Whether a particular poet has done so, is question of fact. To that fact, in the present instance, every stanza of the poem, and the history of Montrose himself, speak directly and unequivocally. He was married in 1629, when but seventeen years of age, and his Countess, whose interment he superintended under circumstances of risk to his personal security, died in 1645. He was Dante to no Beatrice,—Petrarch to no Laura. Had such a being ever existed, his fame would have perpetuated her memory, and his enemies would have per-

[1] See *supra*, p. 134, where the most popular stanza is quoted. The poem was first published by Watson, from the original manuscript, apparently some very rough draft, in his Collection of 1712.

[2] Q. R., p. 43. See *supra*, p. 218.

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verted the fact. 'My dear and only love' are expressions for the nonce. Listen to the words of Montrose himself. In a letter dated 'Brussels, 28th January, 1649,' two days before the death of Charles I., and addressed, unconscious of the impending horror, to that unhappy Monarch's son and heir, he writes: 'I never had *passion* upon earth *so strong*, as that to do the King your father service.'[1] We defy the limbo of Dante's commentators, with this ardent sentence before us. And supposing it were a question of taste, can the theory that would elevate a sentiment, from Paphos to Olympus, offend against taste? When Lovelace, that most melodious of 'committed linnets,'[2] suddenly quits the theme of his 'divine Althea,' and soars to 'the sweetness, mercy, majesty, and glories of my King,'—must readers of taste refuse to follow him? Does the character of Hamlet run counter to taste? Montrose was

[1] This letter will be found in its chronological order in these Memorials.

[2] How much easier is it to mar than to mend these Cavalier Troubadours! Ellice, in his specimens of the early English poets, notes: 'Dr Percy has changed this line, *when, like committed linnets, I with shriller throat shall sing*, into, *when linnet-like confined, I*,—which is more intelligible.' Far from it. The rash emendation injures both the sense and the melody. It may happen to a linnet to be confined, but that is no such characteristic of the linnet, as 'linnet-like' would seem to say. Then, poor Lovelace was a cavalier martyr. He was too well acquainted with *committees* and *commitments*. His fate led him to figure the very linnet in its cage as a state prisoner. The idea that it has been *committed* is happily quaint, and even historical. But Dr Percy will have it to be a bird, and nothing but a bird. Again, Dr Percy gives us,

> 'When I lie tangled in her hair,
> And fetter'd to her eye,
> The *birds* that wanton in the air
> Know no such liberty.'

Upon which Mr Ellis notes: 'In the original it is "Gods;" the correction is *very happy*.' Unhappy. The sense is entirely changed, and the picture ruined,—no unusual result of over-cleaning an old master. Lovelace here illustrates the freedom of his love-sick fancy with the grandest conception of irresponsible *amours*. He opens Olympus to the view, and the gods and goddesses at their *wanton* feasts among the clouds. Dr Percy shifts the scene, and discloses birds on *frolic* wing. He has substituted the taste of a French paper for an Italian fresco.

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the Hamlet of the Troubles. With a nature attuned to chivalrous love, and the heroic muse, with the soul of a crusader, and the heart of a troubadour, his rapid and stormy destinies made a desert of the garden of his genius. Escaping from his ugly crysalis, the Covenant, he emerged into the light of loyalty, and staked and lost all,

> ' ——————————— for a king
> Upon whose property, and most dear life,
> A damned defeat was made.'

What had Montrose to do with ' fine stanzas?' They are not fine stanzas. Away with the cold category. ' Numerisque fertur lege solutis.' Those obscure and stormy verses, that wild wail of sweet bells jangled all out of tune, those uncouth and ungenerous tropes and figures of synods, committees, and commonwealths, drums, trumpets, and banners, sieges and savage rocks and tempests, so tumultuously heaped upon ' the golden laws of love,' so tyrannically overwhelming the plaintive notes of ' the turtle chaste and true,' and the gentle ' tears dropping from each shore,'—indicate the loyalty of Montrose, or the love-making of a maniac. It was not want of taste in Hamlet's wooing that broke the heart of Ophelia. And we take it upon ourselves to say, that had

But, to redeem these remarks from idle digression, Montrose, in the poem to his imaginary mistress, writes, ' I'll make thee glorious by my pen, and famous by my sword.' The aptitude to attach the idea of glory to the sword, rather than to the pen, had suggested an emendation (from such high authority that we do not venture to name it) to this effect: ' I'll make thee famous by my pen, and glorious by my sword.' The sword may reap glory for the knight who wields it, but scarcely for his mistress. Don Quixote, the highest authority, would only have read it as Montrose wrote it. The attributes of the knightly and errant troubadour were to *glorify* his mistress *in song*, and to compel the *fame* of her beauty at the point of *his sword*.

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the Beatrice of Montrose ever existed on earth, or escorted him through Paradise, the spirit of her reply would have been,—no grateful acknowledgment of his entire devotion to herself, of the singleness of his heart occupied with her image alone,—but such as this:

'What means this wild address? Has love a railing rebel grown?
Does my caprice this passion move, or springs it from thine own?
What need of 'marble wall' to keep my heart for thee in store?
Nay, an thou railest, I shall weep,—and love thee evermore.

'Did not *Committees* sell their King, and *Synods* call it good?
Can love be like that loathsome thing, a priest that prays for blood?
How can confusion have a part where thou wert Lord before?
Or rebel passions storm a heart that loves thee evermore?

'There dost thou reign, and reign alone; what King can rival thee?
If not contented with a throne, *Dictator* shalt thou be:
Or if thy foolish tyranny disdain the crown it wore,
And abdicate my heart, and cry, "I'll love thee never more,"—

'As flowers that court the regal sun, weep through the stellar night,
And still, with folded bosoms, shun that *Commonwealth* of light,—
So when thy sun from me is gone, to gild some other shore,
My heart shall keep its vacant throne, and love thee evermore.

'The golden laws of love I scan, and find but only two,—
The Saviour's legacy to man,—be tender, and be true;
Then why this pompous pillar here, all blazon'd o'er and o'er?
The truthful heart, that hides a tear, ah! love, what needs there more?

'What though in fields of chivalry thy *sword* compel my fame,—
What though thy *pen*, in poesy, may glorify my name,—
Delight me not those deeds of arms, that leave me to deplore,
For me no verse but this hath charms, "I'll love thee evermore."

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'And yet, methinks, this plaint of thine was never meant for me,—
No, not of *love* the right divine thy pen would glorify;
I see a vacant, broken throne,—a head discrown'd and hoar,—
Ah! stay, I'll join thee in that moan, and love thee evermore.

'When covenanting Synods seek their pauper popes to rear,
And covenanting shambles reek with blood of cavalier,
And jackals have beset their King, that lick'd his feet before,—
What marvel that MONTROSE should sing of ladye-love no more.

'Then go! may glory gild thy pen, and fame attend thy sword,
Till yon gray head be crown'd again, and Monarchy restor'd,—
Ah! then shall faithful hearts unite, that fiends asunder tore,
And woman's love, and honour bright, entwine for evermore.'

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ORIGINAL PAPERS ILLUSTRATING THE PRINCIPLES UPON WHICH MONTROSE JOINED AND QUITTED THE COVENANT. M.DC.XXXVIII.—M.DC.XLII.

I. Montrose and others to Lennox, Hamilton, and Morton, 13th March, 1638.

Most noble Lords,—The greefe of the Subjects here, and their just resentment of so great evills on this Church and Kingdome, can not be unknowne to your Lordships, whose native interest, and that part of your fortunes placed in this land, must beget in your mynde a sense of our hard condition, and, as principall members next unto the head, make you enquyre and endeavour to prevent the imminent dangers of this State. Your extractions from this, and the greatnes of your places here, with your frequent accesse to our Soveraigne, doth not so much invite our recourse to your Lordships, as the meere necessitie of our present case. Having by Supplication, Complaint, and Bill, publiklie presented our desires, at three severall tymes, to the Lords of his Majesties Privie

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Counsell, besides our continuall solicitations to them thir six moneths past, and, by all these, requyred their mediation with his Majestie for that ordinarie remeed by Law justlie due to the meanest of the people,—yet was neither our persons, being the farre greatest and most considerable part of the Subjects, nor our Cause, that so concerned Religion and weilfare of the State, had in so great consideration as they deserved. And of late we being forced by the order of law, before the Counsell, to declyne these on whom we complaine from being our judges, and the Lords refusing to admitt the same, did constraine us either to suffer our pairties to be our judges, against the law of nature and nations, or, as we have done, to make protestation to have our immediat recourse to our Sacred Soveraigne, since the way is closed of further dealing with them.

The great necessitie, of present remeed to our pressing evils, forceth from us a supplication to his sacred Majestie, having some encouragement therto by a late proclamation; and that being now the onlie mean left of our hopes, and ordinarie way of all subjects in the like case, we doe therfore humblie entreat your Lordships be pleased to give us notice whither his Majestie will allow our supplication to come by your hands, being the most eminent of this nation, and by whose mediation as true Patriots we expect much good, or, if his Majestie will give us a warrant by your meanes, that we may send some from this with the same.

Upon your Lordships advertisement of his Majesties gracious resolution, we shall be readie to obey either of these as becometh humble and faithfull subjects. Wishing your Lordships intercession successfull, as for many respects, so, to encreasse the joy and true affection of all the supplicants to our Soveraigne, (for whom and our selfis we subscrive,) and bind their thankfull acknowledgement to your persons and families, as to those who are endued with a measure of abilitie and affection, to Religion and your Countrie, trulie answerable to the greatnesse of your places and trust with his Majestie, and as the present

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necessitie of your Lordships aid to the publike requyreth; which is faithfullie promised for all by

Your Lordships affectionat Servands,

MONTROSE,	EGLINTOUN,	ROTHES,
LOTHIAN,	CASSILLIS,	HOME,
BOYD,	LINDESAY,	YESTER,
DALHOUSIE,	FLEMYNG,	J. DRUMLANRIG,
JOHNSTOUN,	LOUDOUN,	BALMERINOCK,
	CRANSTOUNE.'	

Edinburgh, the 13th of March, 1638.

To our most noble Lords,
The Duke of Lennox,
The Marquess of Hammiltoun, and
The Erle of Mortoune, these.[1]

[The seal of Montrose.]

[1] Original; Morton charter-chest. This is the same Lord Morton who figures in the first Part of these Memorials, pp. 56, 64. Among the Wodrow MSS. preserved in the Advocates' Library, are some very curious and amusing letters written, at this time, by one who uses the seemingly fictitious signature 'Jean de Maria.' These are printed by Lord Hailes in his 'Memorials and Letters,' who determines that they were addressed (although the name is withheld) to the Duke of Lennox, a very plausible conjecture which has long passed current. A comparison of the above letter, however, with one of Jean de Maria's, serves to dissipate this idea. He mentions, in one of those letters, dated 16th April 1638, that a violent petition against the Bishops, to his Majesty, had been determined upon, 'and *my Lord Naper* was the man designed for the presenting thereof; who finding the same too hote, as we understand, for his fingers, and none others willing to undergoe that charge, they changed there coppye, and contented themselves to present there condoleances to the *Triumviri*, I mean these three grandes off our nation who are thought to have the principal rule of his Majesty's cares, who (without offence be it written) are supposed, by many and good subjects, to tender more the safetye of there friends, followers, and favorites in this kingdom, nor they do there master's honour, (which is now in a manner at the barre of fame,

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II. King Charles I. to the Earl of Airth, 19th March, 1639.

Charles R.—Right trusty and welbeloved Cousin. Wee greete you well. Having heard how that you have refused to adhere to any of the courses held by the Covenanteres, and that from the beginning you have

both at home and abroad) and private follyes and fancyes, tending, with the disgrace and ruin of our prelates, to the overthrow of all his fathers and his own royall designes, nor to second the projects of a master to whom they have so supereminent an obligation. I pray God in this we may be deceived; but the shrewd rumors of the behaviour of the *second greatest* make many men very doubtful.'

Upon a former occasion the editor hazarded the surmise that the *Triumviri* above alluded to were Hamilton, Argyle, and Traquair, (Montrose and the Covenanters, i. 274.) But there can scarcely be a doubt that the letter in the text, now first disclosed, is that alluded to as having been adopted when Lord Napier refused to burn his fingers with the more violent supplication, and that the triumvirate of *grandes* were Lennox, Hamilton, and Morton. Consequently Lennox cannot be Jean de Maria's correspondent. The suspicions against the *first* and *last* proved to be quite unfounded; but not so those against the 'second greatest,' upon whom fell at this time very general, and, as events proved, just suspicion. Among the Wodrow MSS. is another original letter, from Loudon to Johnston of Warriston, which also seems to refer to the letter in the text. He says, 'I resaved yours of the 22 Apryle [1638] and I approve that cours which, efter Rothes and Lindsay's coming, is resolved upon, in wreitting up *to the three noblemen*; and seeing our articles are to be *refyned* and sent to them, as I doubt nott bott they will be exprest in *modest terms*, and upon warrantable grounds, so it wald be wyslie adverted that our desyres be nott *too spairing*, nor any thing ommitted to be sought which is necessarye for remedie of the evills present, and prevention of future.' Baillie alludes to the letter, in one to Spang, of date 5th April 1638: 'The noblemen drew up a common letter to be presented by the Earl of Haddington to the Duke, Marques, and Morton, *conjunctly*, entreating them, if they thought fit, to undertake the presentment of their supplications to the King;' and in his next he gives the fate of the letter. 'The noblemen returned answer to our letter,—(the Duke to Montrose, the Marques to Rothes, Mortoun to Lindesay,) that the King was to give an answer to their desires by proclamation, and thought not meet to answer or look upon the supplication; which they *sent back closed as they got it*.' (Letters and Journals, v. i. pp. 64, 70.)

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alwyse disproved the same, wee have been pleased to tak particuler notice thereof, for which wee give yow hearty thankes, assuring you that wee will not onely be carefull to protect you, but will likewyse acknowledge your affection to our service in a reall maner when occasion shall offer, and wee doubt not but you will continue in what lyes in your power for advancing thereof, speciallie at this time. Wee bid you farewell. From our Court at Whithall, 19 March, 1639.

To our right trusty and welbeloved
Cousine the Earle of Airth.[1]

III. King Charles I. to Lord Kilpont, 2d May, 1639.

Charles R.—Right trusty and welbeloved, Wee greete yow well. Haveing understood how all this time you have been constantlie affected to the good of our service by not adhering to any of the courses of the Covenanteres, wee tak it well at your handes, and give you hearty thankes for the same, desiring you to continue as you have begunne, and to proceed for the good of our service according as you shall find any occasion to offerr, and be assured that wee wil be carefull of you and of that which may concerne your good hereafter. Wee bid you farewell. From our Court at Durham, the 2d of Maij, 1639.

To our right trusty and welbeloved
John Lord of Kinpont.[2]

[1] Original, Montrose charter-chest.

[2] Ibid. This unfortunate young nobleman found an occasion to serve the King, when he joined Montrose immediately before the battle of Tippermuir, to which victory he contributed. Immediately thereafter he was basely murdered by Ardvoirlich in the camp; see *supra*, p. 233. He was the eldest son of the Earl of Airth, to whom the preceding and following letters are written.

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IV. King Charles I. to the Earl of Airth, 27th July, 1639.

Airthe,—Seing that I have commanded all my Councell to attend and assist my Commissioner at this next ensewing Assemblie and Parlament, I particularlie command you as one of that nomber, to give your attendance, and best assistance to him, in everie thing that may tend to the good of my service; requyring you lykwaise, to deale with all your frends, and all others with whom ye have trust, to give there hartie endevors for the furtherance of the same; whereof I will take notice to eache as I shall fynde the effects answerable to my expectation; and so I rest,

Your asseured frend,

Charles R.

Barwike, 27 July, 1639.[1]

[1] Original, Montrose charter-chest. The letter is autograph of the King. This is the same nobleman who, as Earl of Monteith, figures so discreditably, *supra*, p. 56; yet was he even more sinned against than sinning. There is a very characteristic portrait of him, by Jamesone, at Taymouth, engraved for Pinkerton's Scottish Gallery of Portraits, which author observes, following Scotstarvet, that the Earl of Airth 'was deprived of all his offices, and, according to Scotstarvet, was confined in the Isle of Monteath, where he was when that author wrote, about 1654.' This is one of those glaring instances of Scotstarvet's unaccountable inaccuracy, regarding contemporary affairs, which suggest a doubt whether that MS. be really his. The above letters completely contradict his statement as to Airth's continued confinement. In 1694, the estates of this noblemen passed to the then Marquis of Montrose, by the will of William Earl of Airth, son of Lord Kilpont. Hence, in the Montrose archives are a mass of original letters and documents, affording a complete history of what we have shortly noted, *supra*, p. 59. *Inter alia*, there is a letter to Charles I., from his Advocate, Sir Thomas Hope, dated 'Edinburgh, 15 November 1632,' alluding to some alleged calumnies against the Earl of Stratherne, and inclosing a paper, entitled 'The trew estait of the claime made be the Erle of Stratherne to the Erledome of Stratherne, with the course and progress usit be the said Erle in offering to his Majestie ane renunciation of his richt of the said Erledome.' The Advocate seems to have been persuaded,

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V. The Earl of Airth to King Charles I., 20th September, 1639.

Most sacred Soveraigne,—I have, according to your Majesties comandement, attendit your Commissioner all the tyme of this Assemblie and

and at all events persuaded the King, that the process of serving Monteith heir to Stratherne, and then executing a renunciation of the territorial rights in favour of the King, was essential to the security of his Majesty's rights; and both the Earl and the Advocate appear to have obtained a handsome consideration for their respective parts in the affair. That Monteith assumed the title of Stratherne with the King's perfect acquiescence, is curiously confirmed by one of these royal letters, in the Montrose charter-chest, dated 31st July 1631, addressed to him as President of the Council, and by his usual style, 'the Earle of Monteith,' but to which the King has added, in his own hand, '*now Erle of Stratherne.*' Then came a storm of petty faction, such as those illustrated in the first Part of these Memorials, somewhat enlivened, but not ameliorated, by the intervention of Court Ladies, and a poet, whereby the abused and distracted Monarch became persuaded that the claim to Stratherne involved a claim to the Throne. Accordingly he commanded and obtained a reduction, contrary to fact and law, of this service, to the great confusion of the Lord Advocate, and mystification of the Lords of Session, but with the most submissive acquiescence on the part of the poor Earl, who received the compensation of the Earldom of Airth, with the precedency of Monteith. This did not satisfy the faction, however, who reported certain rash speeches of his, as that he had the *reddest blood in Scotland*, implying hereditary precedence of the King. The character which Lord Napier gives of him (*supra*, p. 59) tends to corroborate this report; and the anecdote at p. 56 discredits his own testimony. But, in justice to this unfortunate nobleman, it must be noted, that among these manuscripts is a statement of Monteith to the King, in which he says: 'My wyfe hes writtin to me that your Majestie said to her that I went too far on in the business of Stratherne; this greeves me not a little, seeing you know that I went not one foote, nather in the beginning, progress, nor ending, but be your Advocate's advyse and directione, and your Majestie's own allowance,' &c. Of this Charles was quite aware; but it was to the alleged treasonable speeches he alluded; and accordingly the Earl adds,—'and words *which I protest to God I never spoke* are chased throw twentie hands.' By another letter, in the Morton charter-chest, of date 18th May 1633, it appears that Airth had sent this information through Morton; but as this last is said to have joined the faction against Airth, it may be doubted if

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Parliament, and I have given my advyse and assistance to him quhen he did requyre it, in every thing that micht conduce to your Majesties service; and altho' I know that the Commissioner and others have alredie advertised your Majestie of the most materiall things that wer doone in the Assemblie, and how far the Parliament hath hithertoo proceedit, yit I have presumed to send this inclosed note, heirwith, quhilk will let your Majestie know the most materiall things quhilk, I conceave, were doone thair; and I doe humblie beseeche your Majestie to reade it, for altho it was long in comming, because I would not troubill your Majestie with letters untill I should sie in quhat maner businessis were lyke to conclude, yit I beleive your Majestie shall find the most substantiall things are wretten in this note, and quhat is in it is treuthe.

The Commissioner did not name me upon the Articles, so that I am not able to give your Majestie such an accounte of those things that are doone in Parliament, as I have, by that note, showen quhat wes doone in Assemblie; yit I beleive that I have gone als neire, as a man quha is made ane stranger to affairs can doo; and alltho I am not upon the Articles, yet I doo attende, and doo meite at Counsell or Committies for parliamentarie affaires, quhensover I am called on by the Commissioner. Your Majestie commandit me to have ane watchfull eye over the actiones of ane Officer of Estate heir,—I doubt not your Majestie dooth remembre of the man,—and I have lookt untoo him,

Charles ever saw his remonstrance. At all events it did not succeed; for the result was, the deprivation of all his high offices, and confinement to his own estate, until 14th December 1637, being the date of the order of Council for his enlargement; which act of grace was followed by his re-admission to a seat at the Council board, in 1639. The letter in the text is not that of one who was conscious of having been very unjustly dealt with by the King. For the rest of his life he is not known as a public character; only, Sir James Balfour records, that 'Friday, 17th January 1644, this day the Earle of Airth and Menteith came to the House, and he and the Viscount of Didhope did swear and subscrive solemnly *the Covenant*, Band and Othe of Parliament.' What became of him after this, no man alive can tell, or need care.

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altho' they have neide of many eyes quha can weel find out his wayes. I doo only perceave this much, that the Commissioner doeth communicate to that man, and uther two, *in private*, all the affaires; and the remanents are, therefter, called too them.[1]

I have presumed to send this berar expresly, humblie intreating that your Majestie wil be pleased, by thrie lynes from your selfe, to give me your Majesties directiones how I shall carry my selfe in two particulars. First, seeing the Commissioner, and moste part of the Counsell, have signed this Covenante, and that I have not doone it as yit, I beseech your Majestie to commande me quhat I shall doo: The nixt is, that I intreate your Majesties directione if I shall friely give my opinione, altho' unrequyred, to the Commissioner in any thing that may conduce to your Majesties service; or if I shall be silente at this tyme? Of thes two I doo humblie intreate your Majesties pleasour; and I desyre none to know of it, for James Livingstoun will imediatly returne the berar efter he receaves your Majesties letter. I find that *my cousing Montrose* hath caried himself both faithfully, and is more willing to contribute to his uttermost in any thing for your Majesties service, then any of these Lords Covenanters; and I am confident that he will keepe quhat I promised to your Majestie in his name; quherfor I doo humblie intreate your Majestie, that, by ane letter to him, you will take notice, and give him thankes, and desyre the continowance.[2] I wish the letter be enclosed within your Majesties letter to me, and, as I find the effects of his service to your Majestie at this Parliament, I shall ather delyver

[1] This suspected *Officer of State* would seem to be the Lord Advocate, Sir Thomas Hope. Argyle was not an Officer of State.

[2] It was in the month of July *previous* to the date of this letter that Montrose met the King at Berwick, at which time, accordíng to the popular idea, *verbis vincitur*. Monteith was a cadet of Montrose, though he had 'the reddest blood in Scotland.' The editor has not been able to discover that any letter was written by the King to Montrose at this time, in terms of his cousin Airth's suggestion; nor does his Majesty allude to that proposition in the few sentences which he noted with his own hand on Airth's letter.

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or keepe up the letter. So attending your Majesties directiones, and praying for your Majesties long and happie raigne, I rest

Your Majesties
Most faithfull subject and humbill servitor,

AIRTHE.

Edinburgh, 20 September, 1639.
The King his most excellent Majestie, These.

[Indorsed, in the autograph of King Charles I.]

To the first, I esteeme them more that does not, then those that does sygne this last Covenant, though my Commissioner and most of my Councell hath done it. As for giving your opinion, if hee aske it, you shall doe well to give it him, otherwais, not; for I suspect that the issew will not be so faire, but that he will be glad to lay the burden on other mens shoulders, to ease his owen; which he may the reddilier doe, if you should eather give him Councell unasked, or, being desyred, not to give him your advyce.

C. R.

26 September, 1639.
For the Earle of Airthe.

VI. MONTROSE'S BOND AT CUMBERNAULD, August, 1640.

(*'The copy of the Bond subscribed by Montrose and the rest of these noblemen:'*—)

Whereas we under-subscribers, out of our duty to Religion, King, and Country, were forced to join ourselves in a Covenant for the maintenance and defence of eithers, and every one of other, in that behalf: Now, finding how that, by the *particular and indirect practicking of a few,*

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the Country, and Cause now depending, does so much suffer, do heartily hereby bind and oblige ourselves, out of our duty to all these respects above mentionat, but chiefly and mainely *that Covenant* which we have soe solemnlie sworne and already signed, to wed and study all public ends which may tend to the safety both of Religion, Laws, and Liberties, of this poor Kingdom; and, as we are to make an account before that Great Judge at the last day, that we shall contribute one with another, in a unanimous and joint way, in whatsomever may concern the Public, or this Cause, to the hazard of our lives, fortunes, and estates, neither of us doing, consulting, nor condescending in any point, without the consent and approbation of the whole, in so far as they can be conveniently had, and time may allow. And likewyse we swear and protest by the same oath, that, in so far as may consist with the good and weal of the Public, every one of us shall join and adhere to others, and their interests, against all persons and causes whatsoever, so what shall be done to one (with reservation foresaid) shall be equally resented and taken as done to the whole number. In witness hereof, &c.

(*'The subscribers of the principal Bond, and in this order:'*—) Marschell, Montrose, Wigton, Kinghorne, Home, Atholl, Mar, Perth, Boyd, Galloway, Stormonth, Seaforth, Erskine, Kilcubright, Amont, Drummond, Johnston, Loue, D. Carnegy Master of Loue.[1]

[1] This is 'Montrose's *damnable Band;*' see *supra*, p. 231. This copy is among Sir James Balfour's MSS., preserved in the Advocates' Library. The history of it shortly is this: In the Parliament at Edinburgh in the autumn of 1639, Montrose, as the previous number illustrates, and as his Remonstrance also indicates, first perceived and opposed a democratic movement inconsistent with the professions of the original Covenant. Again, in the Parliament held at Edinburgh in the month of June 1640, we have it, on the authority of the demagogue Archibald Johnston, that 'Montrose *did dispute against* Argyle, Rothes, Balmerino, and myself, because some urged that, as long as *we had a King*, we could not sit without him; and it was answered, that to do *the less* was more lawful than to do *the greater*.' (See Montrose and the Covenanters, i. 362.) Still Montrose retained his command in the army under Leslie, and immediately after the Parlia-

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VII. Argyle to Sir John Ogilvy of Inverquharity, 7th July, 1640.

Loveing Freynd,—Sen your parteing frome this I have gottine certaine informatioune that my Lord Ogilbie is this night in your house, for the whilk caus I could doe no less then direct a companie to ly about your house till it be searched, whereat I intreat you to tak no exceptiounes, for I doe nowayes doubt you; onlie, I will give you this warning, that iff ye press to conceall my Lord Ogilby in your house at this tyme, it will be moir to your prejudice then ye ar awar off; And so I hope ye wil be wyise. The gentleman that is commander of this company is

ment rose was occupied in taking Airly Castle, and, says Bishop Guthry (p. 76) 'placed therein Colonel Sibbald, and wrote to the Earl of Argyle that he needed not to be at the pains to draw his people thither, seeing the house was already gained.' See the following numbers, vii, viii, ix. In the month of July thereafter, Montrose accompanied the Scottish army to the Borders, with the mental reservation to resist, with all his personal and military influence, an armed rebellion against the Throne. While there, a secret bond was presented to him for his signature, in which it was proposed to *conquer* Scotland, and make Argyle *Dictator*. Montrose replied, that he 'rather should die or he did.' He then hastened back to Edinburgh, before the army had crossed Tweed, and the same treason was cautiously propounded to him by Argyle's friend, Lord Lindsay; see *supra*, p. 183. Upon which, sometime in the month of August 1640, Montrose prepared the above conservative bond at Cumbernauld, with the temporary support of the Earl of Wigton, and the other noblemen who sign it. He then returned to the army, and was the first man (by lot) to cross the Tweed, 21st August 1640. Shortly afterwards Argyle discovered Montrose's counter-plot, which of course he blew up, and the Cumbernauld Bond was burnt by order of the Committee of Estates. Though often alluded to in History, the terms of it were unknown, as also the above details, until the editor found a copy of the Bond, along with the other original manuscripts illustrating its history, which were first published in 'Montrose and the Covenanters,' 1838. Baillie execrated the loyal and constitutional bond, but did not venture to disclose its contents. In the excellent edition of his Letters, edited by Mr David Laing, in 1841, it has very properly been added to the Appendix. But these Memorials would have been deficient in an important link, had it been omitted here, as many of the other documents relate and refer to it.

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Coline Campbell, Calders sonne. So, referring this to your consideratioune, I rest,

Your affectionat freynd,

ARGYLL.

From my Camp at Airlie,
7 July, 1640,
For my loveing freynd the Laird of Innerquharitie.[1]

VIII. ARGYLE'S EXONERATION FROM HIS COMMISSION OF FIRE AND SWORD IN 1640.

OURE SOVERANE LORD[2] and Estatis of Parliament, considdering that ther wes ane Commissioun granted be the Committie frome the Estatis of

[1] Original, in the charter-chest of Sir John Ogilvy of Innerquarity, Bart. This characteristic epistle, the *affection* of which was no doubt estimated at its true value by the then representative of the ancient and loyal house of Innerquarity, may be taken as a small specimen of that 'tyranny of subjects' from which it was the object of Montrose's 'damnable Band' to redeem his country. Such a cartel, intensely insolent, though significantly quiet, presented by one Captain Colin Campbell, at the head of a company of Argyle's Claymores, those 'uncanny trewsmen,' as Baillie describes them, 'supple fellows, with their plaids, targes, and dorlachs,' could not be very agreeable to Sir John Ogilvy, who was living very quietly. He was the first Baronet of this branch of the clan. A few years afterwards, his eldest son, a youth just returned from school, who had joined Montrose, was hanged at the *affectionate* flat of Argyle; see *supra*, p. 236. Sir James Balfour, Annals, ii., 380, records: 'It must not be forgottin how that the Earle of Argyle, in the beginning of this same monthe (July 1640) with 5000 men, tooke the housse of Airlie, from which the Lord Ogilvey, two days before his coming, had fled. This house he slighted, [*i. e.* defaced] destroyed all the planting, and plundred the quhole poore tenants and landes belonging to the Earle of Airlie.' Who does not know how that

> 'It fell on a day, a bonnie summer day,
> When the aits grew green and early,
> That there fell out a great dispute
> Between Argyle and Airly.'

See the two next numbers.

[2] Montrose in his Remonstrance (*supra*, p. 227) justly complains of this abuse of his Majesty's name, 'as if all their treacheries were done *by his authority*.' See another glaring instance of this in the libel against Montrose.

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Parliament, with consent of the Generall, of the dait at Edinburgh the 12 day of June 1640 yeris, makand mentioun that forsamekill as thir being thane most necessarie, for the weill of Religioun and peace of the Countrey, that all the intestine enimyes therof with all expeditioun sould be supprest and takine ordour with, that they sould not troubill the peace of the Countrey, or harme the friendis therof, bot that they mycht be brocht to the Kirkis, which bot any Christianes and Countreymen gif it wer possible,[1]—or utherwayes to goe againes thame, *to ther outter rutting out*, in all hostile maner,—and becaus that the Erle of Athole, the Lord Ogilvy, and ther complices and assistances, alsweill in Athol as in the Braes of Angus, the Ferquhersounes in the Brae of Mar and utheris thair complices,—ther enimyes and opposites in Badzenoch, Lochaber, and Rannoch,—had thane not only provine enymies to Religioun, bot also hade provine unnaturall to thair Countrey in disjoyneing frome these who stude for the manteinance of Religioun and Liberties of this Kingdome, and hade drawine themselfes togidder in armes, and hade fortifeit thair houssis, and awaytted opportunitie to fall on be thameselfes, or to joyne utheris, alsweill natives as forraneris and strangeris, to the overthrow of this Kirk and Kingdome, at the least in so fare as thane in thame ly,—For remeid wherof the said Committie frome the Estate of Parliament, with consent of the Generall, be ther said Commissioun gave full power, warrand, and commissioun to [The Earl of Argyle[2]] ryse in armes aganes the said Erle of Athole, and his complices and assistances in the Braes of Angus, and againes the Farquharsounes and utheris the opposites in the Brae of Mar, Badzenoch, Lochaber, and Rannoch, and to persew them and everie one of theme in all hostile maner with fyre and sword, ay and whill he suld ather bring thame to thair bundine dewtie, and give assurance for the samen be pledges or utherwayes, or

[1] This is somewhat obscure, but it is so in the MS.

[2] The names are blank in this draft; but there is no doubt that the Commission was to Argyle. Indeed it is referred to as Argyle's Commission in the libel against Montrose.

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else to the outter subdewing and *rutting thame out of the Countrey;* and for that effect to levie and draw togither, in ane or more bodyes as he suld think fit, such numberis of men within the schirrefdomes of Argyll in armes as he sould find sufficient for the said imployment; and siclyk with power to the said [Earl of Argyle], or these haveing power or warrand frome him, with counsent of the Generall Commissar, to intromet with the rentis and guidis of the saidis persounes, opposites to the Commone Cause, to be applyed for the manteinance of the said [Earl of Argyle] his forces, who wer with him in the said expeditioun; and with command of the Subcomissaris, and utheris intrustit in the commone affairis, to cause furnisch thame in maner specifeit in the said Commissioun, as the Commissioun of the dait forsaid at mair lenth bearis. Be vertew of the whilk commissioun, and faithfull discharge therof, the said [Earl of Argyle] efter his acceptatioun of the samyn did ryse in armes, and levie and draw out togither the number of *four thousand* men in armes, whais randevouse wer in *Innerary,* and Clanchardysert in Glenorchie, the 18 day of the said moneth of June, 1640 yeiris; and went therfrae to the fieldis throw the boundis and pairtis of Athole, Braes of Angus, Brae of Mar, Badzenoch, Lochaber, and Rannoch; and wes abroad in the fieldis, with the said army in armes, in executing of the said Commissioun, frae the said day of randevouse above writtine, continuallie, until the secund day of August nixt thairefter that he returne home, be the spaice of fourtie four dayes, continuallie, duiring all that space, doeing his exact diligence to bring the forsaidis persounes, and utheris within the boundis forsaidis, to thair bunden dewty and conformitie, and to suppress thame that they troubill not the peace of the Countrey, and did *diverse actis and factis* for that effect, wherby the said Erle of Athole,[1] and the men of Athole, and diverse utheris great clanes, and

[1] The Earl of Athol appeared in arms at this time against Argyle at the ford of Lyon. The latter, afraid to fight, inveigled the loyal Earl into his tent, then broke his parole to him, and made him prisoner. Upon this occasion it was that certain trea-

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utheris persounes, wer brocht to conformitie and made to find cautioun, and give bandis and pledges, to keip peace and good ordour, and to compeir and answer befor the Committie; and utheris, that wer disobedient and who wold not sua doe, wer forced to flie and their houssis slapped and slichtet, utheris demolisched and brunt. And the said [Earl of Argyle] as Commissionar forsaid, gave out severall warrandis commissiounes for taking ordour with some persounes that fled and came not in to give their obedience; and befor he left the fieldis he left sundry garriesounes, both in the fieldis and in houssis belonging to some of the saidis enymies, for keeping of the peace of the Countrey, who remayned therin for the space of severall weikis and monethis therefter. Lykas ther wes *diverse utheris deids* done be the said [Earl of Argyle] and his army, duiring the said space, for settling of the saidis disordouris in these pairtis, and bringing of the people therof to conformitie, in maner at lenth particularly and specially mentionat and sett doun in ane particulare report made be the said [Earl of Argyle] in executioun of the commissioun, first gevin in be the said [Earl of Argyle] to the forsaid Committie frome the Estatis, and to the Generall, at the castell of Dunse, the fyftene day of the said moneth of August the said yeir, and dewly ratifeit and approvine be thame that same day, as the said report or accompt, made to the said [General], ratificatioun and allowance therof grantit be the said Committee of Estatis, of the dait forsaid, at mair lenth beiris. Lykas the said [Earl of Argyle] hes gevin ane particulare accompt of all the victuall and guidis ather furnisched to the Army be the under Commissaris, and utheris whatsumever, or takine be the said Armie for their mantenance, or meddlit or intromettit with be the said [Earl of Argyle], or be any of his Commanderis, or be the Army be his ordour and directioun, of the guidis and geir of those who wer refractorie and disobedient,

sonable speeches were made by Argyle, and thereafter reported to Montrose by John Stewart of Ladywell. For this Argyle brought the latter unfortunate gentleman before the Committee of Estates, and then, with the most treacherous and lawless cruelty, to the scaffold. See 'Montrose and the Covenanters,' vol. i., pp. 471-501.

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as the particulare compt dewlie fitted be the Auditouris of the Commone burdinges of this Kingdome, upone the third day of Apryll last bygane, and ratified and approvine by the said Committee of Estatis resident at Edinburgh be their act of the dait the 8 day of the samen moneth of Apryll, lykwayes at mair lenth bearis. THAIRFOIR, Our said Soveran Lord, and Estatis of Parliament, have ratifeit and be thir presenttis ratifeis and approves the said Commissioun, grantit be the said Committie frome the Estatis of Parliament, with consent of the Generall to the said, in maner, forme, and to the effect abovementionat, of the dait forsaid, in the haill heidis and articles of the samyne; and declares the samen to be of alse great force, strenth, and validitie, as gif the samen hade bene grantit be the haill Estatis in oppine Parliament; and also ratifies and approves the said Accompt, Accomptis, Report, and Reportis, made to the said [Earl of Argyle] and gevin in to the said Committie of Estatis of the datis abonewrittine, and ratifeit and allowit be thame in maner forsaid, in the haill heidis and poyntis therof, *respective*, alsweill concerning his diligence in executing the forsaid Commissioun, as anent the victuall and guidis abovementionat, furnischit, takine, and intromettit with as said is; And willis and ordaines that this present generall ratificatioun of the premisses is and salbe als effectuall and sufficient to the said [Earl of Argyle] and his forsaidis as gif the saidis Commissiounes, Accomptis, and Reportis forsaidis, and former ratificatiounes of the samyne, heirby generallie ratifeit as said is, and haill tennouris and contentis therof, hade bene at lenth therin conteinit and heirby speciallie ratifeit, notwithstanding the samyne be not so specially done. Wheranent our Soverane Lord and Estatis of Parliament hes dispensit, and be thir presenttis dispenssis for ever, And findis and declares that the said [Earl of Argyle] hes faithfullie executed the said Commissioun grantit and intrustit to him be the said Committie of Estatis, and hes done and performit all thinges in the executing therof whilk wes conduceabill and fitt for the reducing of the dissobedient to conformitie and obedience, and for establisching of the peace, quyet, and securitie of that pairt of

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the Kingdome whilk wes within the compass of his Commissioun, and that the said [Earl of Argyle] hes done guid, faithfull, and acceptabill service to the haill Estatis of this Kingdome in the premisses: And farder declares that the said Erle and his Airis and Successouris, and all and sundrie the Commanderis of the said Armies, and the haill body and everie member of the said Army, and persone therof, their airis and successouris, to be fred, liberat, and exonerit of all and whatsumever actioun, claime, persute, questioun, criminall or civill, whilkis may be intentit, movit, or persewit againes the said [Earl of Argyle] and his saidis Commanderis and Army, or any member, persone or persounes therof, and their forsaidis, be whatsumever persone or persounes, of whatsumever degrie or qualitie, for whatsumever guidis, geir, cornes, cattell, horse, and utheris guidis and geir whatsumever, mellit with be thame, or any of thame, frae the said aughtene day of August nixt therefter; or for apprehending of whatsumever persounes, putting or detining thame in ward, prissoune, or captivitie, for whatsumever space or spaces, or for directing out of warrandis and commissiounes againes any of the saidis enimyes, and unfriendis, who fled or refused to come in and give their obedience; or for taking of whatsumever castellis or houssis, and leveing of garrisounes therin, or in the fieldis, or for taking of bandis and pledges of the persounes, conteinit in the said commissioun, or for slighting and slapping of whatsumever, touris, fortalices, or uther houssis whatsumever, or demolisching of the samyne to the ground, or burneing of the samyne and putting of fyre therintill, or utherwayes destroying of the samyne howsoever, or *be putting of whatsumever persoune or persounes to torture or questioun*, or putting of any persoune or persounes *to death*, at any tyme betwixt the said 18 day of June and the said secund day of August nixt therefter; and declaris thir presenttis to be sufficient warrand to all and whatsumever Judges, civill or criminall, for exonering and assoilzeing of the said [Earl of Argyle] and all and whatsumever his Collonellis, Capitanes, Commanderis, and haill body of the Army, and haill persounes of the samen, and to their ser-

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jandis, men, boyes, and souldieris in the said Army, dureing the spaces forsaidis, frae all and whatsumever sich persute, civill or criminall, and to be ressavit and admittit be way of exceptioun, reply, or duply, without any farder proces; and decernis and declares thir presenttis to have the force of ane act and statue of Parliament frae the dait of the said Commissioun to the dait heirof, and in all tyme comeing.[1]

[1] There is no mistaking the meaning of this document. Argyle had gone far beyond what even the Committee of Estates contemplated in the execution of his commission, a commission procured by his own power for his own purposes, though nominally conferred by the Lords of the Tables, including Montrose. More than one act of inexorable malice had suggested, though it by no means rendered necessary to Argyle that *exoneration*, wherein even the perpetration of *torture*, to concuss the *consciences* of Christians in Scotland, in the year 1640, is declared to be a laudable deed, beneficial to the Country, and to Religion. So much for the Scottish Covenant. As for its King, perhaps no character was ever hit off with more elegant severity, or by a happier quotation, than when Clarendon applied to him Virgil's description of Drances:—

'Largus opum, et lingua melior, sed frigida bello
Dextera, consiliis habitus non futilis auctor,
Seditione potens!'

The document in the text is from a contemporary draft or copy, in the Montrose charter-chest, and the editor has not met with the record elsewhere. It would seem to have been in Montrose's possession, for on the back of the draft these lines are written, in a different hand, but undoubtedly contemporary, and resembling in some respects the hand-writing of Montrose; but the characters being smaller and more cramp than usual, the autograph is doubtful:—

'As Macedo his Homer, I'll ye still,
Lucan, esteem as my most precious gem,
And, (tho' my fortune second nott my will,
That I may witness to the world the same,)
Yet if scho could bot smyle evin so on me,
My mynd desyres as his, and sors als hye."

The authorship of this is not doubtful, and derives a curious confirmation from the MSS. of Montrose's friend and correspondent, Drummond of Hawthornden, preserved in the Library of the Scottish Antiquaries. In the 8th vol. of the MSS., and 2d of the Miscellanies, the following entry occurs in Drummond's hand-writing:—

Montrose on Cæsares Commentarye.

Though Cæsares Paragon I can not be,
In thought yet shall I sore as high as he.

And on a Curtius.

As Philips noble sonne did still disdaine
All but the deare applause of mer'ted fame,
And no thing harbour'd in that loftie braine
But how to conquesse an eternall fame [name?]
So, great attempts, heroicke ventures, shall
Advance my fortune, or renown my fall.

Thus, we have the fact that Lucan, Cæsar, and Quintus Curtius, were favourite studies of Montrose, and had all elicited the same characteristic sentiment. In his famous

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IX. Interrogatories by the Committee of Estates in 1641 to Lord Ogilvy regarding Montrose's conduct at Airly in 1640, and Lord Ogilvy's Answers.

I.

1. Quhither or not the Erle of Montrose come to the house of Airlie and mett with the Lord Ogilvy, ather at that house, or at any uther place, efter the Commissioun grantit to the Erle of Argyle?
2. Secondlie, what wer the discourssis past betwixt the saidis Erle of Montrose and Lord Ogilvy?
3. Quither or not he gave him counsell to go out of the house of Airlie and to leive it?
4. Quither or not the Erle of Montrose hade any men lying about the house of Airlie?
5. Upoun what conditiounes these men wer dismissed.
6. Quither or not the Erle of Montrose gave him advyse and permissioun to emptie the house of all moveables of any worth?
7. Who enterit the house efter the Lord Ogilvy came out?
8. If he knowes that Lovetennent Collonell Sibbald hade warrand frome the Erle of Montroise to keip the house efter the removeall of the Lord Ogilvy?

II.

Answeris be me James Lord Ogilvy to the Interrogatories givin me be the Lordis of the Committie from the Parliament for trying of the Incendaries.

I. To the first I answer and depone that the precise tyme when Com-

ballad he also refers to Philip's noble son—'Like *Alexander* I will reign.' The allusion, in the Lucan verse, so strangely noted on the back of Argyle's Exoneration, is to the well-known anecdote of Alexander the Great cherishing a rare copy of Homer, which he kept in a rich casket, and placed under his pillow *with his sword*.

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missione was granted to Argylle does not consist in my knowledge. But, as I doe remember, I receaved intelligence from my Lord Lindsay of some such comissione, ane day or twa befoir that convocatioun of the Schyre of Angus, neir my house of Airlie, at the whilk the Erle of Montroise was present, with Kinghorne, Couper, and sundrie utheris; and any meiting I had with him was as Commissioner in the name of the rest, than conveined to treat with me for rendering of my house; *but as for any other meattings, we had non, before nor after.*[1]

2. To the second,—I declair I am altogidder unable to give satisfactione, in regaird it is conceaved in such generall termes. Nevirtheless, that in sum missor I may give content, I depone that the whole purpose of meatting that passed betwixt us was an earnest dealing, on his pairt with me, to rander my house, and joyne myselff with him and the rest of the Covenanteris, and threatnings and menacings incaice I did not condiscend.
3. To the third,—Refuises he gave anie counsall to leave the house, but he did still insist and deall that I wald render it, and ingadye in the publict service.
4. To the fourt,—I beleive, being so informed, he had as the rest of the noblemen and gentillmen of the Schyre had.
5. To the fyft,—I am altogidder ignorant, for I was nevir accessorie to thair Counsellis of Warre.
6. To the sext,—Nether gave he advyce, nor did I stand in neid of his permissione, nether did I emptie my house at all.
7. To the sevint,—I am informed, (for I stayed not to sie anie,) that Lovetennant Collonell Sybald was the man.
8. To the eight,—I know not what orderis Sybald had of Montroise: But this much I know, I did rander my house to the Erle of Mon-

[1] The words printed in italics are an interlineation on the MS., in the hand-writing of Montrose himself. The documents Number ix. are both from the Montrose charter-chest.

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troise for the use of the Publict; nather wald he accept of it upon anie other termes.[1]

X. Sir Thomas Stewart's Information to Montrose, 1640.

The Erle of Argyle being in his awin tentt at the furd of Lyone, declares that he being in Edinburgh at the Parliamentt [1640], that it wes agitatt ther whether or not ane Parliamentt might be holdane without the King or his Commissioner: At last it wes resolvitt, be the best divyns and lawreouris in the Kingdome, that ane Parliament might be holdane without ather the King or his Commissioner; and that a King might be

[1] 'The Earle of Airlie went from home to England, fearing the troubles of the land, and that he should be pressed to subscrive this Covenant whither he would or not, whilk by flying the land he resolved to eschew alse weill as he could, and left his eldest son, the Lord Ogilvie, a brave young nobleman, behind him at home. The Estates or Tables, hearing of his depairtur, directs the Earle of Montrose and Earle of Kinghorne to goe to the place of Airly, and to take the same, and for that service to carry cartows with them; who went and summoned the Lord Ogilvie to render the house (being ane impregnable strength be nature, well manned with all sort of munition and provision necessar,) who answered, his father was absent, and he left no such commission with him as to render his house to any subjects, and that he would defend the samen to his power whyle his father's return from England. There was some shotts shott at the house, and some shott from the house; but the assailants finding the place, by nature of great strength, unwinnable without great skaith, left the seige without meikle loss on either syde; then departed therefrae in June [1640].' (Spalding, vol. i., pp. 216, 217.) The documents in the text prove, however, that Montrose did at this time take the place, and put a garrison into it, under his own officer, Colonel Sibbald. He had acted with his usual gentlemanlike forbearance and humanity; but Argyle followed the same tract, and when Montrose had returned to the army on the Borders, he expelled Colonel Sibbald, and with no other excuse whatever than to gratify his private enmity, acted in the savage manner recorded by all the contemporary chroniclers. In the following year, 1641, he actually made it a point of dittay against Montrose that he had been too lenient, and had allowed Lord Ogilvy to escape. See also Gordon of Rothiemay's History, vol. iii., p. 164.

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depositt, being found giltie of anie of thir three: The first, *Venditio*; 2. *Desertio*; 3. *Invasio*.

[Committee's Report on the above, 1641.]

At Edinburgh, 19 Junij, 1641:—Sir Thomas Stewart being questioned, in presence of the Committie, wh[ether] this paper was wreittin be himself, and if it was the paper delivered be him to Lieutenant Colonell Walter Stewart: Who declairs that this paper is all written with his owne hand, and that it was the same was delivered be him to the said Lieutenant Colonell at their meeting at Edinburgh in winter last.

T. Steuart.

19 Junij, 1641, *Subscribitur in presentia*.
Sir A. Gibsone, J. P. D.[1]

[1] Original, Wodrow MSS., vol. lxv., n. 30. This document was one of the informations which caused Montrose to resort to the Cumbernauld Bond. The declarant is Sir Thomas Stewart, younger of Grantully. Besides indulging those vindictive feelings against the Ogilvies, as illustrated by the preceding numbers, Argyle, on this same expedition, immediately after the Convention of June 1640, proceeded against the people of Athol, and by the treacherous tactics characteristic of his military capacities, inveigled the Earl of Athol into his power, from the midst of that loyal nobleman's armed adherents. He was made prisoner, contrary to promise, along with eight gentlemen of his suite, in Argyle's own tent at the Ford of Lyon. One of these was the unfortunate John Stewart younger of Ladywell, who afterwards circumstantially reported to Montrose certain expressions then used by Argyle in presence of the soldiers, manifestly relative to dethroning the King in Scotland, being the same as those in the text which Sir Thomas Stewart of Grantully, also present, had put in writing, and given to Lieutenant Walter Stewart, (a cadet of Traquair) for the information of Montrose. Independently of other evidence, the *vraisemblance* of the statement is very striking, when we compare it with Archibald Johnston's cautious but significant expressions relative to the debate in the Convention of June previous, when Montrose argued against him and Argyle; see *supra*, p. 255. But Argyle was invulnerable to such an exposure, backed as he then was by the covenanting spirit in Scotland. The miserable John Stewart sacrificed his life to a pusillanimous desire to save it. Thus

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XI. Montrose to King Charles I., 1641.

Sir,—Your ancient and native Kingdom of Scotland is in a mighty distemper. It is incumbent to your Majesty to find out the diseas, remove the causes, and apply convenient remeads. The diseas (in my opinion) is contagious, and may infect the rest of your Majesty's dominions.[1] It is the falling sicknes; for they ar lyk to fall from you, and the obedience due to you, if, by removing the cause, and application of holsome remeads, it be not spedily prevented.

The cause is a fear and apprehension, not without some reason,[2] of changes in Religion, and that superstitious worship shal be broght in upon it, and therwith all there Lawes infringed, and there Liberties invaded. Frie them, Sir, from this fear, as yee are frie from any such thoghts, and undoutedly yee shall therby setle that State in a firm obedience to your Majesty in all tyme coming. They have no other end but to preserve there Religion in purity, and their Liberties intire. That they intend the overthro of Monarchal government, is a calumnie.[3] They ar capable of no other, for many and great reasons; and er they will admitt another, then your Majesty, and after you your sone, and nerest of your posterity, to sitt upon that Throne, many thousands of them will spend their dearest blood. Yee are not lyk a trie lately planted, which oweth the fall to the first wind. Your ancesters have governed there, without interruption of race, 2000 years, or therabout,

Argyle was the first to raise fire in Scotland (at Airly,) and the first to shed blood on the scaffold, in the Rebellion; and on both occasions from private and personal motives. See the whole evidence collected and sifted in Montrose and the Covenanters, vol. i., chap. 16.

[1] This was prophetic, and reminds us of Clarendon's expression, the small cloud in the north, which expanded to the storm that desolated the Kingdom.

[2] See *supra*, p. 217.

[3] This is meant of the Scottish covenanted nation generally, not of the Argyle faction, of whom Montrose had a very different opinion.

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and taken such deep roote as it can never be plucked up by any but yourselves. If any other sall intertayne such treasonable thochts, which I do not believe, certainly they will prove as vayne as they ar wicked.

The remead of this dangerous diseas consisteth only in your Majesty's presence for a space in that Kingdom. It is easie to you in person to setle these troubles, and to disperse thes mistes of apprehension and mistakeing,—impossible to any other. If yee send down a Commissioner, whatere he be, he sall nather give nor get contentment, but shall render the diseas incurable. The success of your Majestys affaires, the security of your autority, and the peace and happines of your subjects, depends upon it. The diseas is of that kynd which is much helped by conceat [imagination], and the presence of the physition. Now is the proper tyme of cure, and the critical dayes; for the people love change, and expect from it much good,—a new haven and a new earth,—but, being disapoynted, are as desyrous of re-change to the former estate.

Satisfye them, Sir, in poynt of Religion and Liberties, when yee come there, in a loving and frie maner, that they may sie your Majesty had never any other purpose, and doth not intend the least prejudice to ether. For religious subjects, and such as enjoy there lawfulle Liberties, obey better, and love more, then the godles and servile, who do all out of base fear, which begets hate. Any difference that may arise upon the acts passed in the last Parliament,[1] your Majesty's presence, and the advyse and endevors of your fathfulle servants, will easily accommodate.

Let your Majesty be pleased to express your favour, and cair of your subjects' wel, by giffing way to any just motion of theres for releif of the burdings thes late troubles hath layd upon them; or by granting what

[1] The illegal Convention of June 1640, in which Montrose disputed against Argyle.

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els may tend to there good; which your Majesty may do with assurance that therein is included your own.

Suffer them not to medle or dispute of your power; it is an instrument never subjects yet handeled wel. Let not your autority receave any diminution of that which the law of God and Nature, and the fundamentall laws of the Countrie alloweth: For then it sall growe contemptible; and weak and miserable is that People whois Prince hath not power sufficient to punish oppression, and to mantayne peace and justice. On the other syd, ayme not at absolutness: It endangers your estate, and sturs up troubles: The people of the western parts of the world could never endure it any long tyme, and they of Scotland less than any. Harken not to Rehoboam's conselers; they ar flatterers, and therfor cannot be frends; they follow your fortune,[1] and love not your person; pretend what they will, there hasty ambition and avarice mak them persuade an absolute Government, that the exerceis of the same [may be put up] on them, and then they kno how to get welth * * * * to themselves [robbing thereby the people of their wealth, the King of the Peeples love due to him, and of the honour and reputation of wisdom.][2]

Practise, Sir, the temperat Government. It fitteth the humour and

[1] In a short poem of Montrose's, referred to *supra*, p. 238, the same idea is versified:

> For when the sun doth shine then shadows do appear,
> But when the sun doth hide his face they with the sun reteir;
> Some friends as shadows are, and fortune as the sun,
> They never proffer any help till fortune hath begun,
> But if in any case fortune shall first decay,
> Then they, as shadows of the sun, with fortune pass away.

[2] The manuscript, which appears to have suffered from fire, is much broken at this part of it; but the most considerable blank has been supplied from a singular coincidence of expressions between this letter and another letter of Montrose's, on Sovereign power, which will be found in another part of these Memorials. The style, sentiments, and sometimes expressions, of the two letters are identical.

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disposition of the Nation best. It is most strong, most powerfull, and most durable of any. It gladeth the hart of your subjccts, and then they erect a throne there for you to raigne,—*firmissimum imperium quo obedientes gaudent.* Let your last act there be the setling the Offices of State; upon men of known integrity and sufficiency. Tak them not up upon credit, and other men's recommendation; they prefer men for there own ends, and with respect to themselfs: Nather yet tak them at hazard; but upon your own knoledg, which fully reacheth to a great many more then will fill these few places: Let them not be such as are obliged to others then yourself for the preferment; not factious, nor popular; nather such as are much hated; for these are not able to serve you wel, and the other ar not willing if it be prejudice to other upon whom they depend. They who are preferred, and obliged to your Majesty, will study to behave them wel and dutifully in their places, if it wer for no other reason yet for this, that they mak not your Majesty ashamed of your choyse. So shall your Majesty secure your autority for the present, and setle it for the future tyme; your journey shal be prosperous, your return glorious; yee shal be followed with the blessings of your People, and with that contentment which a vertuous deed reflecteth upon the mynd of the doer; and more true and solide shall your glory be, then if you had conquered Nations, and subdued [a] People.

'PAX UNA TRIUMPHIS
INNUMERIS POTIOR.'[1]

[1] Original draft, in the autograph of Archibald first Lord Napier; Napier charter-chest. This eloquent letter we have attributed to Montrose, from the coincidences mentioned in the previous note, and because he was the organ of communication between his small party of conservatives, and the Sovereign. There can be little doubt, however, that he and Lord Napier had composed it together. See Number xiii., which seems to be the answer; and Number xviii., Lord Napier's history of the origin of the advice.

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XII. King Charles I. to Archibald first Lord Napier, 20th May 1641.[1]

Charles R.—Right trustie and wel beloved Councellor, Wee greet you well. Haveing fully resolved to repaire unto that our Kingdome for holding of the Parliament the 15th of July next, that wee may sattisfy our good Subjects of our reall intentions to setle all matters in a peaceable maner, as may most conduce for the weal of our Kingdome,—So haveing of late writen unto our Councell there to meett and attend at Edinburgh to recave our further directiones, wee have likewise (out of the former experience wee have had of your affection to our service) thought fitt to require you to stay constantly there, for giving directiones as you shall finde necessary for our reception and entertainement, and to attend our further pleasure, as it shall from tyme to tyme be imparted unto you: And in the mean tyme that you advertise us back with your opinion what you finde further requisite for this effect. Wherein expecting your ready care, wee bid you farewell. From our court at Whitehall, 20th May, 1641.

To Our right trustie and welbeloved Councellor the Lord Naper.

XIII. King Charles I. to Montrose, 22d May 1641.

Montrose,—I conceaue that nothing can conduce more to a firme and solide peace, and giuing full contentment and satisfaction to my People,

[1] Original, Napier charter-chest. This letter had escaped interception by the audacious faction who seized the King's holograph letter to Montrose, dated two days later than the above; see the next Number. Montrose and Napier were both in prison, along with their friends, Sir George Stirling of Keir, and Sir Archibald Stewart of Blackhall, when the King arrived in Edinburgh upon the 14th August 1641.

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then that I should be present at the next insewing session of Parlament. This being the reason of my jurney, and having a perfect intention to satisfie my People in ther Religion and just Liberties, I doe expect from them that retribution of thankfulness as becumes gratefull and deutifull Subjects: Which being a business wherein not onlie my service, but lykewais the good of the whole Kingdome is so much concerned, I cannot but expect that your particular indevors will be herein concurring: In confidence of which I rest

Your asseured frend

Whythall the 22d of May, 1641. CHARLES R.[1]

XIV. COMMENCEMENT OF ARGYLE'S PROCESS AGAINST MONTROSE, May 1641.

I.

[Mr John Graham before the Committee of Estates, 24th May 1641.]

IN the first, I being demandit of the President what I had to say, spak

[1] Original, holograph of the King. In Montrose and the Covenanters, i. 431, the editor of these Memorials observed, 'It would have rendered our evidence of the nature and principles of Montrose and Napier's plotting very complete, could the letter have been discovered which Walter Stewart was bringing from Charles to Montrose, on the 4th of June 1641.' Unquestionably that in the text is the very letter. The editor was so fortunate as subsequently to discover it in the Montrose charter-chest. As it was intercepted, and taken possession of, by the emissaries of Argyle, it is most probable that Montrose himself never saw it. Much vague and virulent calumny was founded upon it at the time, which some historians, not aware of its existence, have too blindly followed. Various letters and documents were recovered by the Montrose family, at different times, among which may have been this. It has all the appearance of having been in the hands of those who robbed the King's messenger, being very dirty. The coincidence of expression between this letter and Montrose's, Number XI., is remarkable. See Spalding's account of the robbing of the messenger, *infra*, p. 280, *note*.

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as eftir followes. My Lords, it seimes strange to my people at home, how I sould be brought upoun the stage for any thing may prove obnoxious in this good cause in hand, considering my former forwardnes I seimed to kyth in the samyn; more strange, I confess, to my breithren of the Ministrie, who have beine pleased evir to intrust me with what concerned this present bussines, alsweill in privat as in publict, at home as abroad, since the first privat meiting[1] we had at Edinburgh, to this day; of whois fidelitie in all thay had a pruiff; but most of all does seime strange to my selff, whois conscience and cariage without hes witnessed to my selff and others my fidelitie in that whilk was concredite unto me, and in speaciall concerneing the bissines in hand. And now, my Lords, to be brought heir to stand *tanquam reus*, I know not how it does greive me to the verie soule; not for any guyltines, I blis God, I may be affrayd of; bot that my name sould be brocht in questioun, and now be made ane object of obloquie to the world; and that oyntment, whilk I was evir most cairful to keip as haveing no more, now to be poured out and spilt. I wisch the pitcher had beine first brok. Bot now, my Lords, you have done weill that hes now sent for me, that I may disburden myselff of that whilk hes boyled within me, [that I may] be

[1] This hint as to the *private* meeting confirms Guthry. Speaking of the first tumult against the Service-book, which occurred 16th July 1637, he says, 'This tumult was taken to be but a rash emergent, without any predeliberation; whereas the truth is, it was the result of a consultation at Edinburgh in the end of Aprill, at which tyme Mr Alexander Henderson came there from our brethrine in Fyff, and Mr David Dick from those in the west countrey; and these haveing conned with my Lord Balmerrino and Sir Thomas Hope the mynd of those they came from, and gotten their approbation thereto, did afterwards meet at the house of Nicholas Balfour in the Cowgate, with the said Nicholas, Euphan Henderson, Bethia and Elpeth Craig, and severall other matrons, and recomended to them that they and their adherents might give the first affront to the Book, assureing them that men should afterwards take the business out of their hands.'—(M.S. Advocates' Library, collated with printed edition, 1748, p. 23.) This was precisely the kind of low tactics at which Johnston of Warriston was an adept, and Elpeth Craig was *his mother*.

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disburdenand be your Lordships of the imputatiounes and aspersiounes ar layd upoun me,—or the Earth be disburdened of me, as ane unprofitable member. Bot least my discourse sould seime pharisaicall in justifieing my selff, I will speak no more; bot when I sall succume sall then turne publicane. My Lords, I receavit your Lordships letters, of the dait 19 May, commanding me to come over with all possible diligence for the effect conteinit in the samyn, and as the samyn does at more lenth import; in obedience to the which I streave to keip the tyme appoyntit, bot being mistrytit be the tyd could not cume sooner. And now, my Lords, I wold desyir to know what is your Lordships will, and in so far as in me lyis I sall stryve to satisfie.

It was ansuered, be the Earle of Argyle, that the occasioun of that letter was some informatioun his Lordship had receaved,[1] whilk he thought far prejudiciall to the Publict, and deserved to be tryed. Wherupoun the Committie thought most fitting to send for me, as one could best satisfie; and, for the better facilitating of the bissines, desyired a Comittie myght be appointit to try what I had spokin, and what was spokine against. I refused to ansuer to any in a privat way, bot in a publict desyired to know what was to say against me, or who was my accusers. It was voyted and ressoned, *Committie* or *no Committie*. I was removed. It was concludit, that my Lord Balmerinoche, my Lord Advocat, and James Sword in St Androis, sould receave informatioune from the Earle of Argyle of what he had hard, and report to the Committie, and I to be hard to ansuer in publict to the samyn; the tennour wherof is conteinit in the paper I receaved from the clerk; and so I was committit to Mr Robert Dowglas his hous, and ordainit to be keipt, and none to resort to me till I was callit againe in publict, desyred to give in a declaratioune under my owne hand, and to answer to the lybell.

[1] That is to say, Argyle had become aware of Montrose's design to bring the information he had received from various sources, of what he considered treasonable designs, before the ensuing Parliament, in presence of the King himself.

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II.

[Report by the Subcommittee on Mr John Graham's speech to the Presbytery of Auchterarder.]

Apud Edinburgh, 24 May 1641.—The whilk day the Lord Balmerinoch, Sir Thomas Hope of Kerse, knicht, and James Sword, being appointit be the Lords of the Committie of Estaits to hear and mak report to thame of suche instructioune as thay sould get, from any whom they sould demand, concerneing the speiches uttered be Mr Johne Grahame, minister at Abirrivane, anent the Bands after mentionat, haveing callit for ane noble Earle, Archibald Earle of Argyle, and demandit his Lordship what he knew concerneing the bissines, he declaired as followes, viz.

That, as his Lordship was informit, the said Mr Johne Grahame affirmed, in presens of the ministers and elders of the presbitrie of Auchterardour, that thair had beine thrie Bands offered to a certane nobleman,[1] be sume uther noblemen, to be subscryved be him, the tennour of the first band beareing in substance ane obleisment aither to depose the King, and tak the crowne off his head, or to declyne or schaik off his authoritie; the tennour of the secound Band beareing ane obleisment to enlarge the Generall his power, or give him sum more preferment; the thrid Band bearing to appoint one to give power to twa Dictatoris to have the rule of the wholl Kingdome, whois names he said wer unknowne.

Produced at Edinburgh, 24 May 1641, in presens of the Committie, be my Lord Balmerinoche, who craved the Committie to tak course with the samyn as they think fitt.

[1] Meaning Montrose, to whom such bonds were undoubtedly offered for his signature, as the subsequent documents prove.

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To inquyre, circumspectlie, at Mr Dauid Drumond, minister at Creiff, Mr Henrie Andersone, minister at Monyvaird, Mr James Forsyth, minister at Munzie, what discourse Mr Johne Grahame, minister at Aberruthven, had on ane presbitar day, within this sevin or aucht weikis, in face of the presbitrie, being conveined anent the Banding Lords; whethir Mr Johne had a discourse approveing thair banding, and dischargeing or forbiding any of the ministrie to preache against thame, becaus what was done in that Band was for so good respectis, his discourse tending, that, the caus of it was in regaird of ane other Band presentit be ane number of Noblemen at Dunce, importing the schaiking off of Authoritie, and establischeing the wholl power and rule of the Kingdome of Scotland in hand of the Generall in the feildes, and the power of all besouth the water of Forth in the Marques of Hamilton his hands, within the Countrie, and the Earle of Argyle benorth Forth;[1] all which discourse tendit to this or thairabouts.

III.

[Mr John Graham's report of his own speech that was called in question by Argyle.]

Breithren—I wald speak sumwhat concerneing the Publict, whilk I am necessitat to, be reassone of the incomportable misreports passes on our Nobilitie who hath better deserved; whairin, God willing, I salbe so spaireing that I sall wrong no man be my speache, nor myselff in speaking. The matter is this. It is not unknowne to yow what hes past concerneing the lords hes subscrivit the Band, and how thay ar cryed out against, as leaveris of the Covenant, bakslyderis from the good Cause,

[1] That there was such a scheme on foot, with the secret connivance of Argyle, and that Hamilton, or *his mother*, was nothing loath, and that this scheme was crossed by Montrose, cannot be doubted.

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trayteris and enemyes to thair Countrie. Neither ar ye ignorant of the alledgit occasione, and seemeing necessitie in so doeing, be ressoune of sume paperis sould have been presentit[1] to thame, or sume of thame, befoir our crossing the Tweid, importing that, in respect the Noblemen wer to goe abroad with the Generall for government of the Armie, thair sould be one left at home, who sould have power to doe whatsoeuir might be necessarie or convenient for the present expeditioune;[2] and give not one, (as the reportis ar diverse), yit the Countrie to be divydit in a twa pairt, and third, or sumwhat lyk that; whilk thay so exceptit against, as if it had beine *Dictator lyk;* and in a word was so mistakin, as if it had beine a declyneing of Authoritie, and a subjecting their neckes to the government of Subjectis. . These feares, Breithren, wer neidles, floweing rather from causeless conceaved jealousies then utherwayis; and I perswade myselff that if any suche thingis hes beine, it was bot *pro tunc,* and so far as served for advancement of the present bissiness. As for the Band, yow have seine it importis no suche, as is now cleared be thair Declaratioune;[3] whilk Band is now burnt, and I wisch may be buryed in the owne asse of it. So that when I considder how bussines goes, I perswade myselff all ar seiking one end, bot contraverts in the way. Whairfoir, Breithren, let me beseik yow, whatevir yow hear suspend your judgements, and condemne none befoir thay be first, be a Parliment, or Generall Assemblie, condemned; and what *thay* doe, we have all ressoune to allow; and that in pulpits we would be spaireing to preache against any, as I hear sume, more raschlie than wyslie, have done; and

[1] 'Suld have been presentit,' a form of expression then in use, here means, that actually were presented. This refers to the Bonds which were presented to Montrose for his signature; see *supra,* p. 236, *note;* and *infra,* Mr John Robertson's deposition, 12th June 1641.

[2] This was a device of Argyle's, whose policy was to remain in Scotland with an army of his own Highlanders.

[3] Montrose, and his temporary adherents of the Cumbernauld Bond, were compelled to sign a sort of recantation, which, however, was just a repetition of the spirit of the Bond itself. See Montrose and the Covenanters, vol. ii. chap. 10.

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I hope in God all sall prove till have beine bot mistakingis; and let us doe our pairt, whilk is to pray to God to bring furth his owne work throughe so many and many difficultyes; and that thay may keip the unitie of the spirit in the band of peace.

These ar the wordis and expressiouns I used in the Presbitrie, so far as I can remember.

Sic subscribitur, Mr Johne Grahame,
Minister at Auchterarder.

The double of this produced to the Committie 26 May 1641.[1]

XV. Sir Thomas Hope of Kerse to Archibald Johnston of Warriston, 7th June 1641.

Worthie Brother.—Wee had many strange bussiness in hand heire, this last weeke. They begane at Mr Johne Grahame, minister of Aughterardoure, who wes called to give ane acompte of some speeches spoken in that presbyterie, and gave Mr Robert Murray for his authoritie. Mr Robert gave the Erle of Montrose for his, and Montrose declared that he had the same partly from Mr Johne Stuarte of Ladywall, and partly from my Lord Lyndsay.[2] Mr Johne Stuarte being sent for and examined, made a terrible calumnious relatione of some speaches which he allegit spoken be Argyle at his expeditioune in Atholl, of no lesse moment then the deposeing of the King. He confessed he gave a copie of this relation to the Earl of Montrose, and another to Walter Stuart, (*my man,*) to be given to the Earl of Traquaire. Walter was happielie rancounterd, upon Friday, betwixt Cockburn's-peth and Hadingtoune, be one who wes *sent expresslie to meet him,* and

[1] Contemporary transcripts, Montrose charter-chest. A process was raised against this clergyman for his speech to the Presbytery, but he very well knew how to reingratiate himself with Argyle.

[2] See *supra,* p. 183, *note.*

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conveyed to Balmerinoches lodgeing, at 9 o'clock at night, where I wes the first man that come in efter him, about some other businesse with my Lord. Efter he had denyed he had anie more papers then were in his clothe-bagge, there wes a lether bagge found in the pannel of his sadle, wherin wes a letter *from the King to Montrose*, a letter to himself, written from Colonel Cochrane at Newcastle, to Londone, and a signatour of the Chamberlanrie of the Bishoprick of Dunkele to Mr John Stuarte, with a blanke for a pensione, but not signed be the King's hand.[1] Efter many shiffets, being convinced be some nottes under his owne hand, which were found in his pockett, (and which with astonishment he swore he thoughte had not beine in the world,) he *wes broghte to promisse plaine dealing*, and deponed, as ye will find in the papers sent be Humbie. But I beleve he has not dealtt trulie in all the pointes. Speciallie I doubt the interpretatione of A. B. C., by which he says are meant *the Banders*, and of the viper in the King's bosome, by which he meanes Canterbure, which I beleeve not. I will not touche anie more of the particulares, because you will find them in the copies of the papers. Mr Jhone Stuarte hes since confessed his knaverie in the generale, but hes not yet cleired the particulares. The point for the which Montrose allegit Lindsay his authore is not yet cleired. It was concerneing the *Dictator*, whome he allegit should have beine *Argyle*, as he hes said *positivè* in his declaration my Lord Lindsay named him;

[1] 'Now Argyle seeing Montrose thus set against him, strives by all meanes possible to have ane watchful eye over his wayes; and understanding that Montrose had lately sent to Court one called Captaine John [Walter?] Stewart with letters, he quietly sends into England three or four trustie servants to intercept this bearer in his home comeing; whilk they did, and rype this captaine, and find within his rydeing sadell ane packett of letters. They bring him to Edinburgh, wher Argyle presents him with his letters befor the Committee. They immediately brake up the packet, and find diverse letters written to sundrie of our noblemen, be our Scotts nobles at Court, and one especially written be his Majestie to Montrose himselfe, thanking him for his loyaltie, desireing him also to persevere, and he should not rest unrewarded.' (Spalding, vol. i., p. 324.) Spalding had picked up some inaccurate version of the letter No. XIII.

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but since he hard Lyndsay, he says he beleeves he dide name him, at the least he conceaved he meant him, and he referres to his aithe he dide meane him. I thinke it shall resolve in nothing, or a *verie little something*. I beleeve this bussines shall prove deeper than yet is found, for *the Lord it seemes will have all these wayes brought to light.* I have no uther thing, that I remember for the present, which I knowe you have not hard, and the most pairt of this, (if not all,) ye will have from others. But a *good taile* twyse told is toelerable. I remaine, as ever, your reall frind to be commanded,

.A. B.

Edinburgh, 7th June, 1641.

To my worthie and much honoured frind, Mr Archebald Jhonestoune of Warristoune, These.

[P.S.] Walter Stuarte hes craved ane pardone for the wrong he dide me, and hes sett doune the wordes wich past betwixt us, under his hand, whereofe I have sent the authenticke copie to my brother, which ye may have from him, if ye desyre to see it.[1]

[1] Original, Wodrow MSS., vol. lxv. The postscript proves the writer to be Sir Thomas Hope of Kerse, the Lord Advocate's second son; for, in the same collection is Walter Stewart's declaration, as to this worthy's treasonable conversation, and which, even in the modified form, curiously coincides with Argyle's conversation at the Ford of Lyon. See the declaration, Montrose and the Covenanters, i. 334, where alone it has been printed. The curious letter in the text had also escaped all observation, even that of Lord Hailes when selecting, from Wodrow's MSS., the historical Memorials and Letters which he dedicated to Lord Hardwicke in 1766: a very imperfect and mutilated selection, most inaccurately printed. Wodrow, in his index to the volume, notes that the letter signed A. B. is to Warriston from *his brother;* probably because it begins 'Worthy brother.' But they were brother lawyers, factionists, and fanatics. The brother alluded to in the postscript is Sir Alexander Hope of Grantoun, another younger son of the Advocate's, for whom he had obtained the post of Royal Carver Extraordinary, and he was much about the person of his Majesty. On the seal of A. B. (who, by the way, commanded the College of Justice troop in the rebel army,) are the armorial bearings of Hope.

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XVI. King Charles I. to Argyle, 12 June 1641.

Argyll—I am informed that one Lietenant Colonell Stewart imployed heere (as it is sayd) by the Earle of Montrose, hes deponed something of his dealing with Traquaire, and that by him I should have given asseurance of disposing of some vacant places, to such persones as was joined in a laite Band with the Earle of Montrose, thereby insinuating that my jurnie to Scotland was onlie desyred and procured by Montrose and Traquaire, and likewais that my intent therein is rather to make and forder parties, than to receave from, and give contentment to, my Subjects: Now since that (by the grace of God) I have resolved of my jurnie to Scotland, it makes me the more curious, that my actions and intentions be not misconceived by my subjects there: Therefore in the first place, I thinke fitt to tell you that I intend my jurnie to Scotland for the satling of the affaires of that Kingdome, according to the Articles of the Treatie, and in such a way as may establish the affections of my People fully to me; and I am so far from intending division, by my jurnie, that I meane so to establish Peace in State, and Religion in the Churche, that there may be a happie harmonie amongst my subjects there: Secondlie, I never made anie particular promis for the disposing of anie places in that Kingdome, but meanes to dispose them, for the best advantage of my service, and therein I hope to give satisfaction to my subjects: And as for my letter to Muntrose, I doe avow it, as fitt for me to wryte, bothe for the matter, and the persone to whome it is written, who, for anie thing I yet know, is no wais unworthie of such a favor.[1] Thus having cleered my intention, to you as my particular servant, I expect, that as occasion may serve, you may help to cleere those mistakes of me which upon this occasion may arise: Lastlie, for the preparations for my cuming home I doe rather mention it to show the

[1] Certainly Montrose had as good a right to receive a letter from the King as Argyle had; and that to Montrose now speaks for itself.

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constant resolution of my jurnie, then in anie doubt of your diligence therein: And so I rest

Your assuered frend

CHARLES R.

Whythall the 12 of June 1641.

XVII. DEPOSITION OF MR JOHN ROBERTSON, 12 June 1641.

12 Junij, 1641. At Edinburgh, in presence of the Lord Balmerino, Sir Thomas Hope [of Kerse], and Edward Edgar, who wes appointed by the Committie to examine Mr John Robertsoune, minister of Gods word at Perthe: The said Mr John being solemnly sworne, in presence of the said Committie, in full number, to declare the treuthe, and being

[1] This letter first appeared in a Collection of Royal Letters to the Argyle family, presented to the Maitland Club in 1839, by his Grace the Duke of Argyle. A facsimile of the original is also there given. It is printed, however, without a comment, and in no connexion with the history to which it belongs. The letter is too important, to the series now brought together for the first time, not to be repeated in these Memorials, where it receives the most complete illustration. It was scarcely to have been expected that the letter to Montrose, of which the King's messenger had been robbed, and this one to Argyle, in which the letter to his rival is so truly characterised by the King himself, should have survived the Troubles, and after having been lost sight of for two centuries, reappear, and be thus printed in juxta position, in the year 1848. Neither of these royal letters were suffered to transpire at the time, for very obvious reasons. There is no indication that Montrose ever saw his letter; and that to Argyle seems to have been unknown to Baillie, Balfour, Guthry, and all the contemporary chroniclers. It afforded a direct contradiction, from the highest quarter, of the main charge against Montrose, which, nevertheless, was pursued with increasing virulence, until the end was served, under the dictation of Argyle, who had this contradiction in his pocket the while. Charles refers to him 'as my particular servant,' because Argyle was of the Privy Council. But it is very plain that he addresses him under the accurate impression that these tyrannical and lawless proceedings were all at the dictation, and perfect control of Argyle.

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ordained to depone, in presence forsaid, what he knowes in the busines concerning the speeches uttered be the Earle of Montrose at Perthe, anent the pretendit reasons why his Lordship subscribed the private Band,—Declairs that, in February last, as the deponer thinks, upon a Monday, about fyve in the afternoone, Mr John Grahame, Minister at Achterarder, come to the deponer, as directed by the Erle of Montrose, to desyre the deponer to come to his Lordship, whom he found at Margaret Donaldsounes house in Perth, speaking with Mr Robert Murray, provest of Methven; where the Earle wes in a discourse for clearing of himself, and the rest of those who had subscribed the Band, quhilk then wes brunt. The soume of his reasons wes becaus there wer some particuler persouns who tooke courses against the commoun laws, and the Covenant, seeking their particular ends; for there hes been a motioun for ane of three changes of Government; to witt, that ether there sould be ane Generall at home, as weill as abroad, or that secondly, there sould be a *Dictator* sett up in the haill Countrey, or thirdly that there sould be a Triumvirat,—two to governe the Country be-southe Forthe, and one to reule be-northe Forthe, and that a Band for establisheing one of the Government be-northe Forthe wes presented to his Lordship to be subscribed be him, quherby the lieges wer to swear fidelitie to the said Governer, quhilk his Lordship refused to subscryve: And being questioned be Mr Robert Murray, if by desyring so instantly the Parliament to sitt, in November 1640, his Lordship had any ententione to rewerse any Acts concluded befor, his Lordship said not, for what acts wer concluded he had subscribed, and wold stand to them, and maintaine them with his blood, only his desyre wes to have some fitt men added to the Committie. The deponer declares that the Earle affirmed that the forsaid Band anent the reull be-northe Forthe wes offered to his Lordship to be subscribed be him at Chewsly Wood, befor the army crossed Tweed, which his Lordship wold prove be fyftene or sixteine alse good as himself: And further declairs that the Earle of Montrose said that he wold cleir himself in any thing he had done anent the brunt Band, before the

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Parliament and Assembly: And further declairs that the Earle went to Scoone the same night, being Monday, and that on the morne therefter, being Tuesday, Mr Robert Murray went to Scoone to meet with the Earle of Montrose.

MR JOHNE ROBERTSONE.

Balmerino, Sir Thomas Hop,
Edward Edgar.[1]

XVIII. ARCHIBALD FIRST LORD NAPIER'S ACCOUNT OF THE PLOT, 1641.

THE Earle of Montrois, Lord Naper, Sir George Stirling of Keir, and Sir Archibald Stuart of Blackhall, knychts, having occasion to meet often,[2] did then deplore the hard estate the Countrie wes in; our Reli-

[1] Original, Wodrow MSS. vol. lxv. The deposition of Mr Robert Murray, minister of Methven, is much longer than that of the minister of Perth, but is substantially the same. As the whole of Murray's deposition has been printed in Montrose and the Covenanters, vol. i. p. 371, instead of repeating it here, as originally intended, (see *supra*, p. 230,) that of his companion, Mr John Robertson, has been substituted, never having been previously printed. Murray's deposition, however, is the more characteristic record, and goes more into detail. In deponing to Montrose's statement of his rejection of the Argyle Bond, he gives it thus: 'And that the Earl refused to subscribe it, *but rather should die or he did it*.' Montrose himself confirmed all these depositions by a very fearless declaration, *in presence of Argyle*, and completely justified his attempt at Cumbernauld to combine the conservative noblemen in support of *the Covenant*, as a final measure, against this insidious scheme. The nature of the Bond which Montrose rejected on the Borders was notorious. In his declaration before Argyle, 'the Earl of Montrose *remits the tenor of the Bond* to the Earls of Mar and Cassilis, Archibald Campbell, and Mr Adam Hepburn; and, for what his Lordship remembers, the Earl of Argyle was named in it either absolute General, or General Commander, and that the noblemen were to be of his Committee.' Mont. and Covenant., vol. i., p. 383.

[2] From some of the depositions, preserved among the Wodrow MSS., it appears that these meetings were held about the 'time of Yule,' that is Christmas, 1640, and that they were generally supper parties, sometimes in Montrose's lodging in Edinburgh, and sometimes in Lord Napier's house in the neighbourhood, the old castle

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gion not secured, and with it our Liberties being in danger, Lawes silenced, Justice and the cours of Judicatories obstructed, noblemen and gentlemen put to excessive charges above there abilities, and distracted from there private affairs, the cours of traffick interrupted to the undoing of merchants and tradesmen, moneyed men paid with faylies and suspensions: And besyd these present evills, fearing wors to follow,—the King's autority being much shaken by the late troubles,—knowing wel that the necessare consequences and effects of a weak soveran power ar anarchie and confusion, the oppression of the weaker by his stronger nychtbour, the tyranny of subjects, the most insatiable and insupportable tyranny of the world,—without hope of redress from the Prince, curbed and restrayned from the lawful use of his power,—factions and distractions within, opportunitye to enymies abrod, and to ill affected subjects and provincialls at home, to kyndle a fyre in the State which hardly can be quenched (unles it pleas the Almichtie of his great mercie to prevent it) without the ruine of King, People, and State.

These sensible evills begot in them thoughts of remeade: The best, they thought, wes, that if his Majesty wald be pleased to come in person to Scotland, and give his people satisfaction in point of Religion, and just Liberties, he sould thereby setle his own autority, and cure all the distempers and distractions among his subjects: For they assured themselves that the King giving God his due, and the People theres,

of Merchiston. See Montrose and the Covenanters, vol. i., p. 460. These were entirely family parties. Napier was Montrose's brother-in-law, and had beenhis guardian; Sir George Stirling of Keir was married to Montrose's niece, Napier's eldest daughter; moreover, Napier and Keir were brother and sister's children; Sir Archibald Stewart of Blackhall and Ardgowan (ancestor of Sir Michael Shaw Stewart), a Lord of Council and Session, was married to Keir's sister, Mary Stirling. The present representative of Keir, chief of all the Stirlings, is William Stirling Esq. of Keir and Cadder, the accomplished author of 'Songs of the Holy Land,' 1847, and of a learned and beautifully illustrated work, in three volumes, just published, entitled 'Annals of the Artists of Spain,' supplying a desideratum in letters, and which cannot fail to distinguish 'the lofty brow of ancient Keir.'

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they wald give Cesar that which was his. While these thoughts and discourses were intertayned among them, Lieutenant Walter Stuart came to the town, who was repayring to Court about his own busines. Wherupon it wes thought expedient to imploy him to deal with the Duk of Lenox (who being a Stuart, and one that wes oft at Court, they thought, but wer deceaved, that he was wel known to the Duke) to persuade his Majesty's journey to Scotland for the effect foresaid. This wes the Lieutenent's imployment, and nocht els, altho there wes some other discourses to that purpose in the bye: As, that it wes best his Majesty sould keep up the Offices [of State] vacand, till his Majesty had setled the affairs heir; and the Lieutenant proponed this difficulty, that our Armies lay in his way, and that his Majesty could not in honour pass through them; to which he got this present reply, that our Commissioners wer at London; if the King did not agrie with them, his Majesty wald not come at all; but if he did agrie, the Armie suld be his Armie, and they wald all lay down there armes at his feet. There is no man so far from the duty of a good subject, or so voyd of comoun sens, to quarrell this mater: But the maner is mightily impugned, and agravated by all the meanes that the malicious lybeller can invent: It is *bonum*, says he (no man so impudent as can deny it), but it is not *benè*, and, therefore, 'The Plotters' (for with that odious name they designe them) ought to be punished with loss of fame, lyfe, lands, goods, and geir, and be made incapable of place, honour, or preferment,—a sore sentence any man will think, efter the matter be well tried and discussed.[1]

[1] Original, in the autograph of Archibald first Lord Napier; Napier charter-chest. This is an interesting and important paper. It not only illustrates the conduct and motives of Montrose and his friends at this time, but accounts, in a simple and natural way, for the King's unyeilding determination to go to Scotland in 1641, the motives for which have been misrepresented by some historians, mystified by others, and only guessed at by all. The accomplished and ingenious D'Israeli composed a chapter (Commentaries, c. 12), entitled 'The secret motives of Charles I.'s second journey to Scotland,'—which chapter would never have appeared, or would at least have been greatly modified, had he seen the documents in the text.

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XIX. Montrose, Napier, and Sir George Stirling of Keir, before the Committee of Estates, June 1641.

At Edinburgh, 22 Junij, 1641.—The Committee gave warrand to the Constable of the Castell to bring doune the Earle of Montrose, and directed the Earle of Sutherland to attend his Lordship from the Castell in coache to the Committee; who going there returned with this answer:—

My Lord,—I ame most heartily willing, in all humble obedience, to attend your Lordship according to the Committies commandment towards me, and ther pleasoures to your Lordships. Bot, as I doe conceave, this does appeare to be grounded uppon some discourse which did passe twixt me and some appoynted here yesterday for that end, quherin it seemes ther ar some mistakes; for I being requyred to declaire myself uppon some articles quheron I wes to be questioned, answered; that seeing it wes for maters which concerned the Publict I wes questioned, I did conceave, in my humble oppinione (with all respect) the more publict my tryall wer, the further should it tend to the satisfactione and contentment theroff; that as the scandall wes notour and nationall, so lykways should the expiatione be, one way either or another. This is all I either have to say, or cann answer; and least it should consume too muche tyme to the Publict, (whiche may be muche better imployed) since all but showes ane misunderstanding, I must humbly intreat your Lordship to represent this muche, togither with all the humble obedience that cann be performed by your servant

[Montrose.][1]

[1] This, and what follows under the same Number, is from the original record of the Committee of Estates, Wodrow's MSS., vol. lxv, Advoc. Lib. Montrose's own letter, with his signature, has not been preserved; but was, no doubt, accurately recorded. The gentlemanlike tone, and admirable temper of his declinature, contrasts favourably with the violent and lawless proceedings against him. Lord Sutherland was a college companion of Montrose's. See *supra*, p. 119.

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At Edinburgh, 23 Junij 1641.—The Earle of Montrose being appointed to appeir befor the Committee, wes brocht doune, who being desyred to answer to some interrogators,—which he shunned in a fair way of discourse, bot wold not say *positivè* he wold refuse to answer,—the Committee appointed him to declair, in direct terms, yea or not; who being therfore called, still put off with generalls, and wold not condiscend, at least expres yea or not; and still adhered to his paper before written: The Committee declared they wold tak his answer for a denyall; quhilk being intimat to his Lordship, and one of the interrogators asked, he continued still in his former refusall; which the Committee taking to their consideratioune, efter the asking of opinions of all the noblemen and considerable gentlemen and others present, they all found that the Earle of Montrose is hereby disobedient and contumacious to the Committee, refusing to answer to their interrogators; which they desyred the President to intimat to the said Earle, that if he pleased he mycht yet recall his former denyall and obey the Committee, since he is so oblegit by oathe, subscriptioune, and act of Parliament. This wes intimat, and still the said Earle continued in his former denyall.

J. H. Craighall, I. P. D.[1]

23 Junij, 1641.—The Lord Naper being first desyred be the Lord Balmerinoch, Wedderburne, and Sir Thomas Hope,[2] and Edward Edgar, to answer to some interrogators, he affirmed he could answer no more than what he had done by his former depositions; quherupon the Committee did send for him, who appeiring did answer ingenuously, as in his depositions of the daitt of thir presents, 23 Junij, 1641.[3]

[1] Sir John Hope of Craighall, the Lord Advocate's eldest son.

[2] Sir Thomas Hope of Kerse, the Lord Advocate's second son. 'The Advocate was so wise, and *so well dealt with by his two sons*, that he resolved to say nothing to the church or country's prejudice.' (Baillie's Letters, vol. 2, p. 83.)

[3] Lord Napier's depositions here referred to have not been preserved; but the Com-

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The laird of Keir being lykewayes desyred, the said 21 Junij, did refuse to answer to any interrogators; and being called this 23 Junij, before the wholle Committee, wes interrogat whether he wold answer to the saids interrogators; who answered that he had answered already, and put the same in writting, quherunto he adhered; and since the matter for which he wes called in questioune wes concerning the Publict, he desyred he mycht be tryed publictly, and therefor desyred to be spared. The President prest him to tell whether he wold answer yea or not. Quherunto he still replyed, that, alse often as the President wold demand him, he wold alse often desyre to be spaired. The Committee, efter voycing, found that he ought to answer, and not to stand to a refusall; and therefor appointed the President yet againe to requyre; which being accordingly done, he still refused to answer. The President told him that the Committee wold declare him obstinat and contumacious; whose answer wes, that he sould be content they sould adde that to the rest and censure him for all together, if he in any of his cariage or expressiounes hes misbehaved himself, for the quhilk he ought or sould be declaired obstinat or contumacious: Querupon he wes presently commanded to goe bak to the Castell of Edinburgh; and declaired obstinat and contumacious.

J. H. Craighall, I. P. D.

[Endorsed]
Earle Montrose, Lord Naper, laird of Keir, anent their carriage in the answering to interrogators, 21 and 23 Junij, 1641.[1]

mittee were not aware that he had noted a most graphic account of his examination, which note still exists in the family charter-chest. See the next Number. The reader will judge whether Lord Napier's 'ingenuous answers' were any thing of a triumph, or creditable, to the Committee.

[1] 'And finding no contentment, they sent him [Montrose] back againe to the Castle of Edinburgh, therein to remaine;

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XX. Lord Napier's Examination by the Committee of Estates, 23 June 1641.

23 June 1641.—I wes sent for out of the Castle be the Committe, and when I cam there, Craighall, being Preses, and looking upon a paper he had in his hand, sayd to me that he had some interrogators to pose me on. To which I answered, that he neided not interrogat me, for, as I told my Lord Bamirrino and the rest that wer with him the day befoir in the Castle, I had deponed all I knew, frily and ingenuously, and therfore I desired him to compare them with his interrogators, and gif any of them wes answered be my depositions, it wes wel, and if any of them wes not satisfyed there, I could not do it, for I had deponed all I knew. And this not plesing him, I asked him, if he wald have me depone that I knew not? But he wald neids reid his interrogators, and still I urged to reid my depositions for answer. At last he sayes, that Keirs depositions and myne did not agrie, in so far as I said I had not seen the instructions, but only hard Keir tell them to me. To which I answered, that that wes no materiall differens, since he made me kno them be relation; I remember not that circumstance of shewing them; but I rather trust his memory then my own, who, apparently trusting his relation, and taking a short view, might forget that circumstance. Then they were giffin me to reid, with the Kings answers upon them. Then said I, these are your own desires, and heirin the Publick receavs no

but Stephen Boyd, Captain therof, as ye may see before, was discharged from being Captain thereof, and another Captain called [Colonel Lindsay] put in his place, because he suffered Montrose to have conference with the rest. Allwayes they want that comfort now, and are now strictly keeped, so that ilk ane of them had ane page to wait upon him, and none suffered to goe in nor out, but by permission, to speak with any of them. This *was thought strict dealing*, there being of Montrose's opinion, called *Banders*, about ninetein noblemen, lynked together against the Committee Government, suppose *good Covenanters otherwise*.' (Spalding, vol. i. p. 329.)

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prejudice. But Humbie[1] did reid them, and becaus they did rin upon generalities, as lawes and former lawes, without making exceptions of the lawes of the last Parliament, he would insinuat that we cared not for these. To which I answered, that wes an ill comentare, and we wer not to enter particular conditions with the King, but did titch the generalls, leaving particulers to these wer employed about the treaty. Then I wes desired to look upon Walter Stuarts notes in a long small pece of paper, and demanded if I saw [had seen] them. I said, no. Then they were red, and I wes posed what was meant by &c. and &c.,[2] and the *Elephant*, and *Dromadory*, and the *Serpent in the bosom*. I said I knew nothing of these hierogliphiks, that they were Walters own notes. But then I was demanded if I knew the purpose wes expressit under these notes. I said I knew not what they meant. They tould me then that the Elephant wes my Lord Hamilton, and he wes the Serpent in the bosom, and that he had strange ambitious designes. To which I answered, that ther wes never any such purpose among us: For I wes resolved to answer to all that wes demanded, and not in my depositions, with a No; as indeid I knew not what they meant.[3] Then I wes asked if we thrie did not tak an oath of secrecie before we went to the Castle. I answered we never took one oathe or other. Then they red, in the paper, of one *Signeour Puritano*. I demanded who that wes? They told me it wes my Lord Seafort; wherupon I fell a laughing, and said he wes slandered; and they fell in a great laughter. Then they

[1] Sir Adam Hepburn of Humbie, one of Archibald Johnston's confidential correspondents.

[2] Instead of repeating all the mystical terms used by Walter Stewart in his notes, Lord Napier writes, '&c.'

[3] From Lord Napier's scrupulous accuracy, upon which he prided himself, we must understand this to mean, that, instead of *refusing to answer*, as Montrose and Keir did, he would answer *negative* where he could, but without entering into explanations, additions, or qualifications. This he calls 'negative answers without discourse,' which, however, he was only induced to add to his previous depositions in order to 'avoid contumacy.'

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posed me concerning Wigton. I answered that I had never seen Wigton since, nor knew nothing of it. Then I wes asked concerning the keeping up of the Offices of Estate. I referred them to my depositions upon that poynt, which wes red, and then I said we all did think that the King wald not be so simple, to dispose them till he cam hither; and when he cam, I did think it wald be his last act. Then a paper, which cam from Traquair, wes showen me, which I said I knew not, and so said they too.[1] So, whatever they demanded of me which was not in my depositions, I resolved to answer with a negative. Only one thing they posed me, concerning the dissolving the Armie, the answer wes so fair as I resolved to satisfye them, and said: Truly, my Lord, your questioun hes broght something to my mynd which I omitted in my depositions: I remember Walter Stuart said, that the King culd not with honour come hame, the Army being lying in his way; to which it wes answered, that we had our Commissioners at London, if the treaty did not tak effect, the King wald not come hame at all; and if it took effect, then the Army wald either dissolve, or they wald be his Army, and lay doun there armes at his feet; so that wald be no impediment.

Then I wes removed, and a long consultation wes had concerning me. At last I wes called in; and there, in great pompe of words, and with large commendations of me in the course of my lyf, this sentence wes pronunced, that the Committee had ordayned me to have *frie libertie*, and to repair to my own hous to do my lawfull bissines, and an act red wherby I wes oblist to answer them when they shuld call for me. To which I replyed, that I knew that sentence proceded from there favour to me, but truly in very deed it wes no favour, but the doubling of a disgrace, first to send me to the Castle as a traitor to God and my countrie, in the view of all the people, and then, be way of favour, to let me go; which, if I did accept, wes a certane tho a tacite confession of

[1] Yet this alleged mystical *dealing with Traquair* was made the ground of the libel against Napier, as well as the rest.

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guiltines. It wes answered, that it wes not only favour, but out of consideration that I wes less guilty then the rest. To which I said, that I knew I wes as guilty as any of the rest, and *they knew nothing which they did not impart to me, and had my approbation.* At which words they cryed all out that I wes much deceaved. Then I wes earnestly desyred not to contemn the Committees sentence, but accept of it. To which I said, that the Committee might command me to hasard my lyf and meanes to do them service, but this wes my honour, which I esteamed dearer than ather of the other two. For if my releasment were not got be meanes of my innocency, *after trial,* and not be favour, I culd not avoyd imputation: For all the world wald think that I had taken a way by [separate from] Montrose and Keir, and deponed something to there prejudice, which procured this special favour to myself; and therfore entreated them not to put a double indignity upon me, whom they esteamed les guilty, when, as yet, they had put but a single upon them. Wherupon I wes removed; and there followed me my Lord Yester, Ould Durie,[1] and Archibald Campbell, who, for two houres I think, plyed me with arguments to accept and obey the Committees plesour; but not being able to persuade, the Committee gave warrand to resave me in agane to the Castle, to be advysed for a night. So I retired, and two or thre of them followed me to the dore, and by the clok stayed me there, intreating, but all in vain.

[1] Sir Alexander Gibson of Durie, one of the Senators of the College of Justice. Whether the scene recorded by Lord Napier was before or after the extraordinary abduction of this 'Ould Durie,' as he was taking the air on Leith sands, does not appear. It is worthy of remark, however, that *Lord Traquair*, the nobleman whom the Committee of Estates affected to believe was at the bottom of this plot, is the same to whom Christie's Will thus addresses himself in the well-known ballad, given, with its extraordinary tradition, in the Border Minstrelsy.

Oh, mony a time, my Lord, he said,
I've stoun the horse frae the sleeping loun;
But for you I'll steal a beast as braid,
For I'll steal *Lord Durie* frae Edinburgh toun.
Oh, mony a time, my Lord, he said,
I've stoun a kiss frae a sleeping wench;
But for you I'll do as kittle a deed,
For I'll steal *an auld lurdane aff the bench.*

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So, for any thing I can gather, the great fault they think to find is, that there wes practising with Traquare, an incendiary; which admitting, but not granting, that it wer so, it ought to be considered to what end that dealing wes; to wit, to bring hither the King, to gif his people satisfaction, to settle his own autority, and cure the distempers of the State; and if that end wes for the good of the State, the meanes, Traquare, (called but not yet declared an incendiary,) wes no such sinister one as deservs imprisonment. As for any thing that reflects upon Argyle, it is his own fault that urged so;[1] neither are particular acts of immity [enmity?] to be accounted prejudices to the Publik, unles the one as wel as the other be esteamed so. By Walter Stuarts notes they think that there is some practise against the Marquise [of Hamilton] and think to draw us in that wherof we know nothing, if any be; and certainly that suspicion hes gott us, all *his frendship* to be *our enemies*.

My negative answers without discours, to all not comprehended in my depositions, did wel agrie to that I said, that I had alredy deponed all I knew. But I was loth to do so, till, after lang fensing, they wald neids read interrogators, and I behoved to hear them. It avoyded contumacy; and I could wysh my Lord Montrois and Keir did the lyk, for once only, and never answer more, *negativè* nor *affirmativè*. For by their *not answering* they [the Committee] think their intention is to put af till a Parliament, tho they do not appeale. But if they prese us to any more answering, it is but to ensnare and entangle us in contradictions, and it is not fitt we do it.[2]

[1] Argyle had forced on the whole discussion, and hurried it through to its tragic end, that he might be in smooth water before the King arrived and Parliament met. Accordingly, such was his power and influence, that before the King arrived, the unfortunate John Stewart, a most important witness for Montrose, was with those who tell no tales, and Montrose himself was in prison. As it was more easy to get up a vague and violent clamour against Montrose, than against an aged nobleman of so innocent a life as Lord Napier, the Argyle Committee were most anxious to deprive Montrose of the presumption in his favour derived from such company.

[2] Original, in Lord Napier's autograph; Napier charter-chest. This most graphic

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XXI. John Stewart, younger of Ladywell, to Argyle.

Reicht Honorabill and Nobill Lord.—In respect it hathe pleased your Lordship to admit of my former, I have therfor takin boldnes, by thees to beg that favor frome your Lordship, to admit me to your Lordships presence befor I be forder hard in publeik; hooping to give your Lordship satisfactione; promising to conseill nothing that I know to your Lordships prejudice and harme, or of the Publeikis. Considering your Lordships generous dispositione, I will hoop for no lesse then that ye will requeit eveill with good; quhilk will contribut moor for your Lordships honor and credeit nor my wrak will do for your Lordships walthe, or my sheem for your preese. Expecting ane favorabill answer from your Lordships goodnes, rests

Your Lordships most eveill deservand

Mr John Stewart.

For the Reicht Honorabill and nobill Lord
The Earill of Argyll, These.

5 Junij 1641.—Producit in presence of the Committee to the Earle of Argyle, who wold not read it, but gave it to me, to be read in publict; efter reading quherof, the Earle of Argyle refused to speak with him apairt or alone, bot wes content the Committee sould appoint some to be present, before whom he wes content to heir Mr John. The Committee appointed the Lord Balmerino, Sir Thomas Hope, and Edward Edgar, to be present with the Earle of Argyle to speak with Mr John.

Sir A. Gibsone, I. P. D.[1]

illustration of the ways and means of Argyle's Committee government, we believe to be unique. No such peep behind the curtain is elsewhere to be found.

[1] Original, Wodrow's MSS., vol. lxv. Advocates' Library. The mode in which this unhappy gentleman's 'weakness of body and spirit' had been worked upon, to his own destruction and the exoneration of Argyle, will be seen from the next Number.

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XXII. Recantation of John Stewart, younger of Ladywell.

I.

My Lord, and uthers of the Committee of Estates, first, I beg your Lordships pardon, specially thees quho were yester-neicht heir, in that I culd not give them greatter satysfactione at that present, in respect of the infirmitie and weiknes of my bodie and spreit, as leikways being dasched with suche ane number;[1] and therfor, for satysfactione, now I declair:—

1. First, I, being desyrit be the Earles of Montroose and Atholl, present at Scoon, to try quhat Bands were preessed, ather be the Earill of Argyll himself, or his friends, or subscrivit to him in Atholl or ellis quher,—

2. Secundly, to try quhat presumptions ther meicht be had that he wes the acquirer of his late commissione himself, and how he carried himself therin,—

3. Thredly, quhat presumptions meicht be had that he did aspyre for supremasie above his equalls,—with that caveat givein me be Montroose, that I suld rather keip me within bounds nor exceed,[2]—

Yeit notwithstanding, by that odious papper, abused his Lordship and Athooll's trust in me, wronged the Earill of Argyll, and discredittit

[1] 'Always the Committee did send Mr John Stewart prisoner to the Castle of Edinburgh; and some days after, my Lord Balmerino, and my Lord Dury, being sent from the Committee to the Castle to examine him, they did try another way with him, and dealt with him, that he would rather take a tash upon himself, than let Argyle ly under such a blunder.' (Guthry's Memoirs, p. 93.) It would seem, from Stewart's own account, that more than these two Committee Lords had been persecuting the poor man in prison.

[2] It is important to Montrose's conduct in this matter, to find, even from the testimony of the terror-stricken victim of Argyle, that the Earl of Athol had joined him in these instructions to Stewart, and that Montrose himself added the caveat, that Stewart was to pay the strictest regard to truth, and rather to keep within bounds than exceed. See Montrose's own account of the matter, Number xxv.

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myself, consaiving all things with ane premeditat opinione, and onjust malice, against the Earill of Argyll, wreisting all things to senistrous sensis, contrair ather to his Lordships woords or actiones; for which doings I crave his Lordship's mercie, and pleads only now *giltie*, beseiking his Lordship to have compassione upone my wreitched estat, being only desyrous to have plesurred the ressaiver therby, imagining never to have bein broçht to answer for them therefter, as now I am to my great greiff and lait repentans. And howsoever I have condiscended upone ane number of witnesses, upone weak grounds of some of ther discoursis, as will be found efter trayeill, I declair ther wes never ane of them accessorie to this my malitius and calumnious pamphil and papper, nor had hand therin; exceep that I offerred ons the seicht of it to Athooll, quho desyrit me to do it so that I wald be answerabill for it; and gave him only that part in wreit quhich concerned himself; quhois answer I never ressaived yeit, nor gave the copie to no man except to Montroose himselfe. Having repented me of my doings, I brunt the scrooll, and wald have had fain come aff, and had it bak againe, but culd not, in respect of his Lordship being without the country, till now that I hoop it be for Gods gloorie, and the wonere of all this Natione, to stand for the defence of his Caus, quherin he hathe suche ane provident hand.

As for theis speiches allegit be me to have beine spokin be Argyle at the furd of Lyon, I confess that, now haveing thocht better upone thame, his speiche was *generall, of all Kings;* howsoever, by my foirsaid prejudicat opinyeon of his Lordships actiouns, I aplyit thame to *the present*, wreistit thame to my owin meaning, and ventit thame eftir that kynd; beseiking your Lordships, for the ressounes foirsaids, that quhat farder your Lordships ar to interrogat me upone, that I may answer thame by wreit, as nocht being abill, in respect of my waiknes, ather to stand or gang, as the berar can witnes.

Forder, I desyre, geive ather the laird of Babirnie, or Alexander Brodie of Lathem, be in the toune, that thay may have warrant to cum to me, quhairby I may impairt to thame sumquhat of my wairdlie affairs; and

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geive none of thame be heir, that some uther freinds may be admittit; and your Lordships answer I humblie crave.

Mr Jo. Stewart.

[Endorsed]
Mr John Stewarttis petitioun and confessioun, presented to the Committee off Estates.
7 Junij 1641, producit in presence of the Committee of Estates.

II.

10 Junij 1641.—In presens of the Lord Balmerino, Sir Thomas Hope, and Edward Edgar, Mr John Stewart wes examined upon oathe.

The said Mr John being solemnly sworne to declair the treuthe, confesses that there wer none uther accessory to the making up of that discourse which the deponer deponed before the Lords of the Committee against the Earle of Argyle. And declairs that the Earle of Argyle having spoken of *Kings in generall*, and cases quherin it is thought Kings mycht be deposed, the deponer did tak the words as spoken of *our King*; and out of his malitious desyre of revenge, the deponer confesses he added these words, that the first thing the Parliament wold have begun upon wes to depose the Kings self; and further added these words,—and howsoever they had continewed the doing of it at this tyme, yet he feared it suld be the first thing they wold fall upon at the next Sessione; or, it wilbe the first thing wilbe begun at in the next Sessione; and declairs that the Earle of Argyles words wer only these *in generall*, viz., that there wes a discourse at the Parliament of the reasons and cases of deposing of *Kings in generall*, which the deponer did apply to *our King*,[1] and the *present tyme*, in maner conteaned in his

[1] Giving Argyle the full benefit of these abject recantations, extorted under the influence of extreme terror from one so weak that he could neither walk nor stand, the

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depositioune befor the Committee last May 1641. And siclyke declairs that the Earles of Montrose and Atholl desyred the deponer to enquyre what Bands wer either prest or taken be the Earle of Argyle or his freinds, and to try how he caryed himself in his late Commissione in Atholl and elsewhere; and siclyke to collect what presumptiones there mycht be that he aspyred to hyher supremacy, or some suche words, above his equalls, *with that caveat be Montrose, that the deponer sould rather keep himself within bounds than exceed.* Accordingly whereunto, the deponer went and gathered every presumptione, and every clatter, which the deponer vented; and siclyke the deponer declairs, that when the deponer told the former discourse to the Earle of Montrose (as is contained in his depositione of the last of May) in presence of the Earl of Atholl, the said Earle [of Atholl] did object nothing to the contrare, but did requyre the deponer to give him a copy of those words to confer with his own memory, which the deponer did within few days therefter.[1] And the deponer being interrogat what wes the reasons of his malice against the Earle of Argyle, which moved the deponer to forge such malitious calumnyis against him, declairs that the Earle of Argyle, in all the particulars of his owne, wes his very good freind befor the Commissione granted to the Earl of Argyle against Atholl be the Committee of Estates,[2] and that all the reesons the deponer had wer in executione of the said Commissione, and especially for send-

moral value to him, under all the circumstances, of this distinction between his discourse as to *Kings in general*, and *the King in particular*, is not very obvious. But any thing sufficed at that time to get Argyle out of a scrape, or his opponents into one. The Parliament referred to is that of 1640, in which Montrose had argued against Argyle, Rothes, Balmerino, and Johnston of Warriston, on this very subject. See *supra*, p. 255, *note*.

[1] This is important to Montrose's share in the transaction; for the Earl of Athol, to whom, as well as to Montrose, John Stewart addressed himself, was one of those present in the tent at the ford of Lyon, where Argyle is alleged to have indulged in the treasonable discourse.

[2] See Number viii.

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ing of the deponer and his complices to Edinburgh, and refusing to tak cautione of them in Atholl, and in refuseing the deponer liberty to goe to his owne hous be the way, and for some speeches spoken be Archibald Campbell against the Earle of Atholl, quherby he sould have said[1] that, if the said Archibald had eight dayis tyme, he wold get alse muche against the Earle of Atholl as mycht endanger his life and estate, which the Earle of Argyle had in his pockett.

Mr Jo. STEWART.
Balmerino,
Sir Thomas Hop,
Edward Edgar.[2]

[1] *i. e.* Did say; see *supra*, p. 278.

[2] Original, Wodrow MSS., vol. lxv., Advocates' Library. Spalding thus notes the death of this unhappy man. 'Upon Wednesday the 28th of July, Mr John Stewart his head is strucken frae his shoulders at the croce of Edinburgh, after he was convicted be ane assise, before *ane Committee* holden to that effect in the said burgh, for speeches alleaged spoken be him against the Earle of Argyle, as ye have before. This gentleman is cruellie execute for words, not befor our ordinar Justice or Sheriff Courts, according to our Scottish laws, but before *ane new income Committee-court*. Allwayes it is said, he baid be all the speeches he spake, and went to death therwith.' (Vol. i. p. 333.) Spalding here alludes to what is more particularly narrated by Guthry, (Memoirs, p. 95) 'of whom,' says the Rev. author himself, 'he, Stewart, made choice to be assisting to him in his preparation for death, and who for that end was with him alone in the prison the day before his death, from three o'clock in the afternoon till eight; and the morrow, being the day whereon he died, from ten o'clock in the morning till three in the afternoon, that he went to the scaffold, where also, at his earnest desire, Mr Guthry waited upon him, and left him not until he received the last blow.' This clergyman proceeds to narrate that the dying man bitterly lamented the 'bearing false witness against himself, when he found that the course whereby he thought to have rescued himself from suffering proved the reason of it; this made him querulous against himself, as being the causer of his own death.' Spalding's comment, upon the cruelty and unconstitutional despotism of the deed, is accurate and just. It was thus accomplished. Argyle, in his place in Parliament, disclaiming all malice and personal feeling, and pretending that the matter concerned the whole House, moved for a *Committee* of the Estates to be

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XXIII. Deposition of Colonel John Cochrane.

At Edinburgh, 29 Junij 1641.—In presens of the Lord Lieutenant Generall, the Earle of Argyle, and Lord Angus, Colonell Cochrane

'*Assessors* to the Justice Deputes, least it should be thought that the Judges did favor him in ought.' Lord Elphinstone, one of the Committee named, 'did petition the House, that his conscience wold not suffer him to sitt as Judge to Mr John Stewart,' in respect of his relationship to Argyle; but, 'the House *ordains* the said Lord Elphingstone, and his colleagues Assessors, to proceed and do justice.' (Balfour, vol. 3, p. 12.) The Criminal Court being thus constituted, the accused was found guilty, as a matter of course, upon his own confession, of leasing-making against Argyle, and condemned to die. Then came the question of *mercy*. Let it be premised that Sir Thomas Hope was entirely under the thumb of Argyle. Referring to the occasion, when the Advocate was High Commissioner in 1643, Baillie (Letters, 2. 96.) says, 'The Moderator and Argyle did so alwayes *overawe* his Grace, that he made us *not great trouble*.' Argyle remitted the question of mercy to 'Sir Thomas Hope, and other lawyers.' These gentlemen had no wills of their own; but they had their cue, and that was *vertere pollicem*. 'The resolution was, that if Mr John were spared, all men would think that he had been bribed to make that recantation, and that therefore it was necessary, *for Argyle's vindication*, that he should suffer.' (Guthry, p. 94.) This was the first stroke upon the scaffold of the Troubles, and the sound was felt to be ominous. There was a Christian corner in Baillie's heart that rebelled against the deed. But smothering that feeling, the Covenanter excused the deed upon flimsy pretexts, and a false narrative. 'Mr John Stewart condemned to die, by an old Act of Parliament, he supplicat the Parliament for mitigation of his censure. It is true that *none ever died for no transgressions of that Act*; and Balmerinoch, being condemned for an alledged transgression, was thought to have gotten great wrong, and the preparative may prove *very dangerous*. Whereupon some of the *Justices* were *very scrupulous* to pronounce sentence.' The Covenanter might have added, that Balmerino's seditious acts were against the *Sovereign*, who *pardoned* him. 'Yet,' continues Baillie, 'Mr John was stryving with the life of Argyle, *Hamilton*, and *Rothes*; and by consequence, at the overthrow of our treaty of the peace, and welfare of the whole isle. It was therefore thought necessare to make an example; so much the more, as his friends, for whose pleasure his lies were invented, were giving out, that all was but collusion betwixt him and Argyle, who undoubtedly would purchase him a free remission.' (Letters, 1.

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being desyred to declair in what hes past betwixt the Earle of Montrose and him alswell anent the Palsgrave as in any uther particulars importing or concerning the Publick:

The Colonell declared that when he wes last in Holland, the Palsgrave sent for the deponer to the Breill, quher he, entering in discourse anent his Hienes owne effairs, desyred the Colonell to represent his conditione to the Estates of Scotland, and named some of the Scottis noblemen whom he knew, and named the Earle of Montrose as one of whom he had muche heard,[1] and desyred he mycht have the opportunity to speak with him. Therefter the deponer coming to Newcastle had not occasione to speak with the Earle of Montrose for a reasonable tyme. The first tyme they mett nothing past betwixt them bot generall discourses. The next tyme the Earle told he wes desyrous to follow the warris abroad, and wished that busines wer settled at home, that he mycht employ his talents that way.[2] Querupon the deponer told the Earle of Montrose the desyre the Palsgrave had to meet with him; who willed the deponer to wryte a letter to the Palsgrave that he mycht call the Earle of Monrose to Court, quher they mycht meet, which accordingly he did. And within a whyle therefter, the Generall taxed the deponer for wryting that letter in suche a private way; quherunto he answered, that he did not apprehend any fault in it; and so it wes past over at that tyme. Therefter he told the Earle of Mon-

381.) The names of Hamilton and Rothes were never mentioned in the proceedings against Stewart; and as for the poor attempt to cast the odium of this death upon Montrose, he had been a close prisoner for more than a month previous to the execution of Stewart.

[1] The Palsgrave was the unfortunate Elector Palatine, King of Bohemia, whose Queen was the sister of Charles I., and the mother of the Princes Rupert and Maurice. It was Montrose's fate to become intimately connected with this family. The Queen of Bohemia came to regard him with affectionate admiration, as all her letters to him evince, which will be found in a subsequent Part of these Memorials.

[2] This is an interesting anecdote, in reference to Montrose's prospects and feelings in 1640.

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trose that the Generall had questioned him, and, as he apprehended, the letter wes intercepted. The Earle of Montrose answered, that if he sould wryte any herefter, he must doe it in covert terms; becaus he wes a man envyed, and all means were used to crosse him. Efter this tyme, the Earle of Montrose and the deponer coming out of Chester with the Generall, the Earle entered in a discourse of the privat Band whiche wes brunt, and told to the deponer that he had many reasons and grounds for the doing of it. One quherof wes, that he could prove there wer some of the pryme leaders of the busines in the countrey guilty of highe treasone in the highest maner, and that they had entered in motiones for deposing the King.[1] Quherunto the deponer answered, that these wer discourses quherof he desyred not to hear; and entreated his Lordship not to enter any farder on that purpose, bot to leave it, and speak of some other subject, which he did; and he [the deponer] had no conference with the Earle of Montrose on the lyke subject, except one night, in his owne lodging in Newcastle, the Earle drew the deponer to a syde, and said to him, *think you not bot I can prove what I said to you the other day?* To the quhilk the deponer answered, *I desyre not to hear or speak of suche matters, and therefore crave your Lordships pardon not to goe any farder on therein;* and so they left it. In May last, Adame Conyghame going to London asked the deponer if he had any word to Court; who at first said, no; bot

[1] It is a singular coincidence, that at the very time, namely, in 1641, when Argyle at the ford of Lyon, and Sir Thomas Hope of Kerse in Edinburgh, were indulging in dark and sinister discourses about the *deposing of Kings in general*, the same sounding through the shoals of treason had just commenced in England. Clarendon, in his Life, anno 1641, narrates, that his familiar friend, Harry Martin, after some preliminary conversation, shocked him with the expressions,—'I do not think one man wise enough to govern us all;' and Clarendon adds, 'which was the *first word* he had ever heard any man speak to that purpose.' Montrose was extremely rash in his mode of meeting these wary and powerful conspirators; but all the circumstances justified his impressions and alarm, as the documents in the text sufficiently prove.

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thinking upon his first letter, and being desyrous to know whether it had been intercepted or not, he did wryte a letter with Adame to Walter Stewart under a covert name *Jewell*, which wes a word he had seene in a letter from Walter Stewart to the Earle of Montrose, which had a relatione to a letter or commissione the said Earle had written or given to the said Walter. The deponer gave lykewyis in commissione to the said Adame to try if the Palsgraves bussines wes likely to goe on; and if he found no appearance of that, he wes desyred to speak the Ambassador of Portugall, and try if there wes employment that way; and this wes the trew reasone why he did wryte in these terms.

J. COCHEBAN.
Amond, Argyll.

22 February, 1642.—The said Colonell Johne Cochrane, of the age of 36 years, mareit, being deeplie sworne, and examinat, depones, that he adheres to his former depositione, except that the deponer cannot swear upon his oath that the words spokin to him be the Earle of Montroiss wer spokin betwix Chester and Newcastell; bot declairs that according to his memorie that discours past betwix thame, and that the Earle of Argylle wes the man whom he named; as also that the said Earle of Montroiss spoke sumthing anent the incantoning of the Cuntrie, and Bands of manrent (as he termed thame), of the whiche the deponer took little notice, as not being desyrous to hear of suche discourses. And this is the veritie as he sall [answer] to God.

J. COCHEBAN.[1]
Burgly.

[1] It will be observed that this deposition of Colonel Cochrane was taken eight months after his previous declaration, and long after the King had returned from Scotland, 'a contented King from a contented People.' But Argyle failed in his grand object at this time. Montrose had a word or two with him and his 'uncanny trewsmen,' ere

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XXIV. Montrose's Declaration before the Committee of Estates, August 1641.

At Edinburgh, 5 August 1641, in presence of the persones as on the 4 of August, and of the Commissione of Dysart:

The Earle of Montrose, being interrogat whether or not his Lordship knows any who have been practising or dealling for their owne privatt ends, to the prejudice of the Publick, and what their practises wer, declares that that Band, which his Lordship and uthers did concave, wes built upon some indirect practiking, as they did understand it, did consist of two points, the one anent jealousies and presumptions touching ane Dictator, the other concerning the encantoning of a pairt of the Countrie; and declares that for the personis, his Lordship knowes of none to his memory for the present, except the Earle of Argyle, who wes suspected for the Dictator, and named for the other. And being interrogat what hand the said Earle of Argyle or any uthers had in these particulars, declares that for the tyme his Lordships memory does not serve him to show any more then what is before sett doune. Being interrogat whither his Lordship had written any letters to his Majesty the tyme he wes in Berwick, declares to his memory he did wryte none; but declares that in the tyme of the Parliament or Assembly [1639] his Lordship did wryte one or two; and efter that tyme to his Lordships memory did wryte none till the army wes at Newcastle, at which tyme his Lordship did wryte one letter; neither does his Lordship remember

Gillespick Gruamach got his life. The deponent, Colonel John Cochrane, afterwards Sir John, was the eldest son of Alexander Blair (a younger son of Blair of Blair), who assumed the name in right of his wife, Elizabeth Cochrane of Cochrane. Their second son, William, was raised to the peerage, in the lifetime of his elder brother, by the title of Lord Cochrane of Dundonald in 1647; and in 1669 was advanced to be Earl of Dundonald. His less fortunate elder brother died before the Restoration. Cochrane's depositions are from the originals, Wodrow MSS., vol. lxv.

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particularly the tenor of any of these letters.[1] And being interrogat upon the paper concerning the Band which wes brunt, declares that he did know the paper, and acknowledged that it wes helped with his Lordships hand. As likewayes being interrogat what wes the reasone why suche a paper sould have been drawn up, in justificatione of that Band which wes burnt and disclaimed, answered, that it wes not intended as ane justificatione of the Band, for they did imagine that all of that kynd wes already assopiat, bot that it wes his Lordships owne privat thoughts, quhilk wes not to come without the bounds of his owne charter-kist, for what his Lordship did intend for the tyme, and that the paper wes written be *James Grahame*, his Lordships servant.[2] Being interrogat whether or not his Lordship had given directione to *umquhile* Mr John Stewart to try out all he could against the Earle of

[1] Argyle might have corresponded with his Majesty to any extent, without being questioned. It is curious, and characteristic of the whole proceedings, to find this loyal correspondence with the King made the ground of a criminal process, involving the life of the accused, raised at the instance of 'Sir Thomas Hope, his Majesty's Advocate for his Majesty's interest.'

[2] This tends to correct an erroneous surmise, *supra*, p. 144. It is interesting to observe that both James Graham and Mr John Lambye, who served Montrose so faithfully during his College life, are still with him at this time, and involved in the storm that threatened his life. How the paper mentioned in the text fell into the hands of his enemies, who took good care that it should not be preserved in his 'Charter-Kist,' is recorded by Guthry (see *supra*, p. 187.), and also thus graphically by Spalding. 'Upon the forsaid Whytsunday, the Lord Sinclair came to the place of Old Montrose be direction of the Committee of Estates at Edinburgh, and there violently brak up the yeitts and doors thereof, entered the house, searched and sought the haill coffers, kists, and trunks within the samen, after they were all broken up, to see what missives or letters pertaining to the Earle of Montrose, or any of his freinds, might be found, because his wrytes lay in this house. They took to Edinburgh with them also the Earle's secretar, *called Lamby*, to try what he knew. The like was done to ane other house of the said Earles called Kincardin; and what was found was had to the Committee at Edinburgh, the Earle himself lying wairded in the Castle of Edinburgh, as ye heard. It is said, they also demolished his staitly house of Mugdok.' (Spalding, vol. i. p. 327.)

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Argyle anent the Bands, or his uther particular carriage, answered, not; unles it may have appeared be consequence; for quheras the said umquhill Mr John averred suche and suche things for treuthe, his Lordship did conceave his warrand too meane a ground to let them come to the Publicts earis, although it seemed to be concerned by them; bot if therefter he did mak them appear suche as there wer any reall grounds for, howsoever there wer appearances of jealousies, then suche wayis mycht be taken in them as did most sute with the publick interest. Being also interrogat whether or not there wes any appointment made with the Earle of Atholl, or the said umquhill Mr John, for making ready and bringing over witnesses to the Parliament, declares there wes none. Being interrogat what his Lordship meant by the word *jewell* in his Lordships letter to Walter Stewart penult Aprile,[1] answered that it wes anent a letter from the Palsgrave, for calling his Lordship up to Court, for the Palsgraves owne particular, which come upon a discourse betwixt Walter and him at Broxmouthe, and which Walter thocht a good occasione to deall with his Majesty and the Commissioners, for his Majestys doune coming to Scotland. And sicklyke declares that there past some discourses betwixt his Lordship and Colonell Cochrane in the way betwixt Newcastle and Chester, as also in his Lordships lodging at Newcastle, anent the reasons of the brunt Band, but does not remember the particular words or expressions. As also declares he had heard muche noyse and buzzing anent the words for deposing the King, alleged spoken at the foord of Lyon, bot that he had never heard it from any particular man, to his memory, which his Lordship could build upon, untill he heard it from Mr John Stewart, which wes at Scoone. And being interrogat upon the first generall article, anent Walter Stewarts Instructions, whether the same wes be word or writt, whether dyted or helped be them, etc., declares that to his Lordships knowledge he had nothing bot a general commissione to

[1] This letter is not found.

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the Duke [of Richmond]; neither did they know at all any thing of those *characters*;[1] nor does his Lordship remember any thing else except suche purposes as did fall in be discourse, quherin he had no Commissione. And being interrogat whether or not his Lordship did see, and keeped by him a day or two, the propositiones to his Majesty, and answers therof, daitted 3 Marche 1641 at Whythall, and the paper being shown to the deponer, answered, efter reading of the said paper, that the laird of Keir had told his Lordship some suche purpose as are conteaned in the said paper. And being interrogat anent the other paper broucht doune with Walter Stewart, declares he neither did see this paper, or heard any thing of the purposes therof.

MONTROSE.
Balmerino, I. P. D.[2]

[1] Some absurd hieroglyphicks, or mystical terms, written by Walter Stewart himself, and which he falsely swore were given to him by Montrose, Napier, Sir George Stirling, and Sir Archibald Stewart, every one of whom repudiated the allegation upon oath. See Appendix, where they are printed along with some account of their discreditable inventor.

[2] Original, Wodrow MSS., vol. lxv. See Montrose and the Covenanters, vol. ii., chap. 2 and 3, for the substance of various other examinations of Montrose at this time. But that in the text contains his fullest statement, with which he was ever consistent. The object of those endless examinations, unparalleled for their injustice, was, as Lord Napier had anticipated, to 'ensnare and entangle him.' It is fortunate for his fame that so many of those secret papers of the inquisitorial Committee have been accidentally preserved. And we must add, it is not very creditable to such able and laborious historians as Mr Laing and Mr Brodie, that they should have recorded *con amore* the most monstrous calumnies against Montrose, while they had the fullest command of, and at their hand, those historical manuscripts which so thoroughly refute them, but which it was left to the editor of these Memorials to bring to light. But the vicious fable, only found among the confused manuscripts of Lord Clarendon, and which that noble author himself never published, that Montrose, namely, obtained a *private audience* of his Majesty at this time, and *frankly* offered to *assassinate* Hamilton and Argyle with his own hand, to the great disgust and horror of the King, was an anecdote which these writers were not anxious to refute. See the Introduction to Part VI., vol. ii.

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XXV. Memorandum by Montrose, 13th August 1641.

It wilbe advysed, gif I be nott called tomorrow be the Parliament, whatt in that caice I sall doe. My owne opinioun is, that, if I be nott called, I desyre heiring, be way of supplicatioun; which if I be delayed into, and schifted of, then by Instrumentis, Protest, or sume suche act which may be most sutable to it, that I witnes my owne reddieness, according to my citatioun, and be exonered thairby.[1]

Then if they sould call, and deny me the benefeitt of Sir Lues Stewart, in that caice I wold protest, that I wer reddy in all thing which could concerne my pairt, but could not haif the benefeitt of Procurators to plead for me. And if Sir Lues be grantit, it solves the self. Bot tho he be allowed to plead, and yitt my day schifted, and heareing delayed, I will still protest for my owne exoneratioun; and the rather in that I know they haif maid ane laitt act ordaning no privat bussienes

[1] In his libel, Montrose is cited to appear before Parliament on the 14th of August 1641. But he rightly anticipated that, the object of Argyle and his faction not being a fair trial, but to detain him prisoner on one pretext or other until his Majesty had settled matters in Scotland, every obstacle would be cast in the way of his clearing himself in the face of the Country, and of his King. In his Journal of that Parliament, Sir James Balfour notes: '13 Augusti, Fryday. Petitione from Montrois to the Housse read, quherby he humblie craves that Sir Lewes Steuarte and Mr Robert Mackgill may be warranted from the Housse to plead for him; that they in the castell [Montrose, Napier, Keir, and Blackhall] may meit togeder; and that he may have the extracte of some practiques out of the Bookes of the Adjornall. The Housse onlie grantes the last artickell of this petitione. (Annals, vol. iii., p. 36.) As Montrose expected, the Parliament 'chusilled' him. Baillie notes: 'Saturday 14th [August, 1641], Advocate for the State calls the Earle of Montrose; He offered himself to answer, and desired no continuation: The Estates thought meet to delay till the 24th day.' (Letters and Journals, vol. 1. p. 385.) 'The King arrived that same night, 14th August.' The Memorandum in the text, and Numbers xxvi., xxvii., and xxviii., are all from the originals in the Montrose charter-chest, and now first printed.

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cum in, whill [until] all publict be endit; and so sould chusill me aff to the closure of the Parliament, and so dissapoint. And altho my procuratoris can hardlie be reddy tomorrow, in respect of the delay of these doubillis and extractis wherfor I haif so often supplicat, yitt lett that be no impediment for my appearing, that it doe nott seim to hold at me, bot lett the Advocattes mak that ther argument why they cannott be in termes of disput, seing those thingis have bein delayed wherupoune all is grounded, and the dispute must end. So they both and my self salbe acquytt, and the impediment onelie ly at the Parliamentis owne dur.

XXVI. Montrose to the King and Parliament, 21st August 1641.

Unto the Kings Most Sacred Majesty, and Honorable Estaittes of Parliament, the humble petitioun of James Erle of Montrose,

Shewing:

That quheras it is not unknowne unto your sacred Majestie, and all members of this honourable House, how that some others both and myself haif bein for a tyme restrained heir in this place, and, thorow the greatter still and more importing effaires of the Publict, ever as yet declyned, my most humble desyre unto your sacred Majesty, and all the honourable Estaittes of Parliament therfoir onelie is, that we may be taikine into your Majestys and thair gratious considerations, in suche a way as may tend unto your Majestys and thair content, and fuittest sute with our humble respectis to your Majestys and thair service; and your Majestys favorable answer, and that of the honorable House, I most humblie expect.

Montrose.[1]

[1] Although there is no date to the above, the context, taken in connexion with the next Number, sufficiently proves it to be Montrose's first petition to Parliament after

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XXVII. Montrose's Explanation of the Foregoing Petition, August 1641.

Being called to explaine my meinning anent my supplicatione, and quhat I intendit by it, quhither submissione, or quhat els, my answer was, that being alredey cited unto the 14th of this instant, I did often petitione for the principall of my lybell, togither with the extractes and copies quherupon the samen was grounded, and being that same day called only, and continued, did renew againe my former petitioun, quhich the Parlament, aither by raisone of greater affaires not having leasure to

the arrival of his Majesty. Sir James Balfour, a Covenanter, who never did justice to the demeanour of Montrose, except once, (see *supra*, p. 112,) thus superciliously notes the petition. '21 Augusti, Satterday, Sessio I. *Rege presente.* Petitione from the Earle of Montrois read in the House, humbly beseeching his Majestie, and honorable House of Parliament, to take his restraint to ther considerations, and his willingnes to obey ther determinations,—in fyne, a *submissione* to the House in *obscure terms.* After two hours debait, it wes found that the House behoved to be cleired by Montrois, whither or not his petitione did implay a submissione, accomodatione, or a spidey coursse of justice; and this explanatione is to be given *by himself,* to the Committee for the Plotters, quho ar injoyned to aske him whither or not, by his bill, he humbly craves an acomodatione, legall trayell, or submission to the King and Parliament.' (An. vol. 3, p. 49.) The meaning of this is, that some of the Argyle-ridden truckling nobility, friendly to Montrose, wished to give the complexion of a plea *ad misericordiam* to the above petition; the effect of which pusillanimity would only have been to plant the foot of Argyle triumphantly on his neck. Montrose had been imprisoned since the 11th of June, without the shadow of a criminal case against him, and his repeated petitions for the benefit of the ordinary rules of justice contumeliously rejected. To the great diappointment of the clique who got up this nefarious process, he never lost his temper, presence of mind, or self-respect, for a moment, whether before Parliament, or by Petition, or harassed by the inquisitorial Committee. See Montrose and the Covenanters, vol. ii., chap. 3. The petition, which the faction were so desirous to have interpreted 'by himself' into a humble *peccavi*, was simply a repetition of his just demands, but couched in formal terms of studied respect, and as if conveying his best bow to the Sovereign, for whose advent he had been imprisoned. See next Number.

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advert unto, or thinking expedient to delay, and not yet grant me the benefit thairof, (my second deyit also being now aproching, and those things quich wer not only necessarie dependantes but the very grounds and matter quherupone my process was builded, and without which I could not be able to answer nor stand unto my awne lawfull defences, still delayed,) my intentioune in that bill only was that I might know the Parlamentis pleasure quhither or not matters wer to proceid in ane legall way of processe, or otherwayies by accomodatione, as his Majesty and the Parlament should find most expedient.[1]

[1] This seems to be the transcript retained by Montrose of his reply to the Parliament, probably intended for the information of Napier and the others. Balfour thus notes it: '25 Augusti, Weddinsday. Sessio 1. *Rege presente.* The petitione exhibit to the House on Satterday last, by the Earle of Montrois, wes read over againe, with his answers to the Committee, quherin he does not desyre aney accomodation, *as some of his friends did imply*, bot onlie a spedee just tryall, with these papers that he had petitioned often before for; and withal he desyred to know the will of the King and Parliament if they did desyre him to requyre of them ane accomodatione. After two houres debait, the House wes pleassed to returne him this deliverance on the back of his bill. First, as for these papers by him demandit, he producing the lyke practique, should have als muche favor as aney in the lyke caise; and that the King and Parliament wold take to ther consideratione his proces, by way of justice, *in ther awen tyme, and quhen they thought it convenient.* And withal left him so much way in the interim to give the Housse satisfactione, by petitioning them for ane accomodation and submissione.' (Annals, vol. iii.. p. 51.)

Although Balfour records the process against Montrose with the feelings of a Covenanter, yet see his address to the reader (vol. ii., p. 428), where he announces that he must speak 'in other terms now [1641) than I did formerly, before the reins of Government were slacked, and the Body did begin to call itself the Estates, without any mention of him who was the head-politick of that body.'

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XXVIII. Montrose and his Friends to the King and Parliament, 25th August 1641.

Unto the Kings most sacred Majesty and honorable Estaits of Parlament, the humble Petition of James Erle of Montrose, Archbald Lord Naper, Sir Archbald Stuart of Blakhall, and Sir George Sterling of Keir.

Humbly Sheuing:

That wheras, by the greatter still and more importing affaires of the Publik, your Sacred Majesty, and thos of the honorable Hous, heave beane so hitherto taken up, and still ar, as we did esteime it to much presumption to take upon us the boldnes to interrupt so serious and waighty affaires with so littell as our selfs. Yett nou our most humble desyre unto your Sacred Majesty and those of the honorable Estaits therfor is, that be your Majestys gratious favour, and ther wyse consideration, we may be for the tyme enlarged, upon what seurty and assurances your Majesty and they shall thinke most expedient. Which being ordinary in caices of this nature, your Sacred Majestys most favourabll answer, and that of the honorable Estaits, we most humbly expect.

Montrose.
Naper.
G. Keir.
A. Blakhall.[1]

[Endorsed]

25 Auguste 1641.

Red in audience of the Kingis Majestie, and Estaittis of Parliament, who refuissis the desyre of the Supplicatioune.

Balmerinocht, I. P. D. Parl.

[1] Original, Montrose charter-chest. This petition, of which see the fac-simile, is holograph of Montrose, as several of the other petitions are.

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vnto the Kings most sacred Matt
and honorable Estaits of parlt
the humble petition of James Erle
of Montrosse Archbald, lord Ragley Sr. Archbald
Stuart of Blackhall, and Sr. George Sterling of
Keir

humbly sheuing

That wheras by the greatter still, and more Imp
orting affaires of the publick, yr sacred Matt
and thos of the honorable houss, heaue, beane, so hitherto
taken vpe, and still ar as we did esteme it to much
presumption, to take vpon vs, the boldnes to intermeigle
so seriouss, and waighty affaires, with so littell of
our selfs, yett now our most humble desyre vnto
yr sacred Matt and those of the honorable Estaits thairfor
is, that be yr, the gratiouss, fauorable and therwyse,
consideration, we may be, for the tyme, Inlarged
vpon what seiuerty and Assurances, yr Matt and
they, shall thinke most expedient, wherin being
ordinarly Jn caices of this Nature yr sacred

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XXIX. Napier's speech to the King and Parliament, 28th August 1641.

Upon the 28 August 1641, Lord Napeir, Keir, and Blakhall wer sent for to the Parliament (being the day we wer to ansuer[1]) in thrie coatches appointed be his Majestys self. How sone we cam in at the outmost dur, his Majesty took af his hatt, and we approatched. The President bad us goe up into the stage appointed for delinquentis;[2] and efter we had maid our humble courtessie to the King, the President caussed the Clerk call the Advocates for the State by nam, and then us; and therefter he told us that the Parliament, in regaird of the wechtie bussienes in hand, wold prorogat our day of heiring to the 8 of September nixt. To which I ansuered, that what his Majesty and the House did determine, we must and sould be content with; bot that they wold be pleised, since the prime Advocates wer taken up, to allow those who wer to consult with us to plead for us also; and that we micht have delyvered to us ane extract of the groundis of our proces; and that we micht meitt togidder to consult about our lawfull defences, that we micht be redier to answer. The President told us we micht supplicat for these thingis,[3] and no answer could be gevin now. Then I desyred to haif libertie to speik; which the President refuissed, saying that what I could say wes *in causa*. I said, that which I had to say wes very schort, and sould nott trouble thame; and then I desyred his Majesty, and the House,

[1] The day of citation in their libels.

[2] This was considered a great indignity, and obviously intended to degrade them in the eyes of their Sovereign, whose kind and gentlemanly deportment, in saluting these faithful and persecuted servants, for whom also he had ordered coaches, would doubtless irritate the President, Burleigh. Montrose, by the way, had the satisfaction of signally defeating him at Aberdeen in the month of August, three years later.

[3] They had been continually doing so in vain; and Napier was now only suffered to speak because the King would have taken the sense of the House, upon this equitable demand of his old servant.

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wold be pleased to hear me. The King (as I beleive, for at suche a distance I could nott heir) bad voice it. But it wes granted and nott voiced. Then, said I, what we haif done, and whill we wer adoeing of it, we thocht we could nott devyse to doe the Kings Majesty, nor the Estaittes and Subjectis of this Kingdome, better service; *and God be thanked I sie his Majesty thair;* and I am confident we sall find the gracious effectis of his presence; and treulie if we have failed, ather in matter or maner, may be, bot I nevir yitt could conceave it. And yett we have receaved punischment that beares proportioun with very great crymes. We haif bein ellevin weikes in the Castell, which we doe nott thinke muche of, but be that meanes thair lyes a heavie imputatioun upoun us, and suspitioun of the Peopill, as if we had committed sum haynous cryme; and therby we ar barred from sitting heir as we aucht; and ar forced to hear lybellis and summondis, with the most opprobrious and reprotchefull wordis which evir wes used to innocent or giltie men. So my humble desyre to his Majesty and the House is, that they will be pleased to tak our cause and sufferings in thair consideratioun. *His Majesty noded to me,* and seimed to be weill pleased. So we tuik leive.[1]

[1] Original, in Lord Napier's autograph, Montrose charter-chest. There is something affecting in this kindly recognition by the King, of one who for many years had been his and his father's familiar and faithful servant. See Part I. This was their last interview. The position of the King became most humiliating during this unhappy visit to Scotland, and so different from what was contemplated by Montrose and his friends when they urged his presence, that Napier had little reason for his patriotic exclamation, 'and God be thanked I see his Majesty there.' So anxious did Charles become to purchase the neutrality of Scotland at any price, that he was even contented to cast his kingly character abroad upon those troubled waters, expecting, doubtless, that after a time it would return to him with interest. In this mock process against 'the plotters,' he knew that there was no crime and no criminals. Yet he had daily to endure the insult of seeming to entertain and sanction criminal proceedings, at the instance of his own (so-called) Advocate, against the loyal few whose only offence he well knew to be that they had endeavoured to make a stand for

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XXX. King Charles I. to Montrose, 27th January 1642.

Montrose,—As I thinke it fitt, in respect of your sufferings for me, by thease lynes to acknowledge it to you, so I thinke it unfitt to mention by writt anie particulars, but to refer you to the faithefull relation of this honnest bearer Mungo Murray; being confident that the same *generositie* which has made you hasard so much as you have done for my service, will at this tyme induce you to testifie your affection to me

the protection of his royal prerogatives. He was already reduced to the very condition deprecated in Montrose's letter to him,—'weak and miserable is that people whose Prince hath not power sufficient to punish oppression, and to maintain peace and justice,'—but which the writer little expected would be so soon realized.

In a very scurrlious document of the year 1650, entitled a Declaration of the Committee of Estates, &c., against Montrose, which appears to have been drawn up by Archibald Johnston, the following disingenuous argument is raised upon the proceedings to which the documents in the text refer: 'And the authors and formators of these troubles were, *with his Majesty's consent*, referred to the trial and censure of the respective Parliaments in both Kingdoms; of which number, James Graham, then Earl of Montrose, was found to be one, and therefore imprisoned in the castle of Edinburgh. His late Majesty himself, then, being judge, we are justified, and James Graham condemned; for his Majesty having come in person to this kingdom, parted *a contented King from a contented people*, leaving him to be arraigned before the Commission appointed by his Majesty and the Estates of Parliament for the trial of incendiaries.' This subterfuge had been previously commented upon by Montrose himself, in his Remonstrance (*supra*, p. 227), which has only now come to light:—'Those are traitors that abuse his Majesty's trust put upon them, as if all their treacheries were done *by his authority*.' But happily the King himself had recorded his sentiments as to the treatment of Montrose in 1641, in his private correspondence both with Montrose and others. See Number xxx., and note. It is curious that the Lord Advocate, in his Diary (printed for the Bannatyne Club, 1843, at the suggestion of the editor), takes no other notice of these proceedings against Montrose than the following: '11 Junij 1641, Fryday. This day, about 8 of nycht, the Erle of Montrois wes putt in the Castell be the Committie.' He might well be ashamed of the part he was compelled to take in the prosecution. But the poor Advocate was a mere puppet, as Baillie tells us.

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as there shall be occasion; assuring you that for what ye have alreddie done I shall euer remaine

Your most asseured friend,

CHARLES R.[1]

Windsor the 27 January, 1642.

[1] Original, Montrose charter-chest. This, and the subsequent letters in vol. ii. of these Memorials, sufficiently prove that his Majesty regarded Montrose in the light of a generous martyr, and not of a factious criminal. Yet Baillie, and the covenanting agitators of the day, endeavour to give this colour to their lawless proceedings, that the King being present in Parliament must be held to have sanctioned and approved of them. But Charles was in daily dread of the alleged 'Plotters' being made to suffer the fate of John Stewart. In a letter to the Marquis of Ormonde, Sir Patrick Wemyss, who was with the King in Edinburgh, says, 25th September 1641, 'The King is to pass an Act that none of the incendiaries are to serve in his dominions. His Majesty has engaged his royal promise to Montrose, not to leave the Kingdom till he come to his trial; for if he leave him, *all the world will not save his life.*' In the same letter Sir Patrick writes: 'What will be the event of these things, God knows; for there was never King so much insulted over. It would pity any man's heart to see how he looks; for he is never quiet amongst them, and glad he is when he sees any man that he thinks loves him; yet he is seeming merry at meat.' (Ormonde Papers, by Carte, vol. i., p. 4.) This is a curious and affecting commentary upon the incident supplied by Lord Napier,—'His Majesty noded to me, and seemed well pleased.' His honest and affectionate Secretary, Sir Edward Nicholas, writes to him from London, 5th October 1641, in these terms: 'I pray God there be not some design in detaining your Majesty there till your affairs here be reduced to the same state they are in. I assure your Majesty, the opinion of wise men here is, that to have what Officers [of State] you desire in that Kingdom, cannot make so much for your service there, as your absence hence at this time will prejudice you in business of more importance here. And as for the Lord Montrose and the rest, some here (that pretend to understand the condition of their case) are of opinion, that their innocency is such as they will not fare the worse for your Majesty's leaving them to the ordinary course of justice there.' But the King had by this time learnt what chance *innocency* had with the *ordinary course of justice* then in Scotland; so, with his own hand he had noted on Sir Edward's letter: 'This may be true that you say, but I am sure that I miss somewhat in point of honour if they all be not relieved before I go hence.' (Evelyn's Memoirs, vol. ii., p. 31. Quarto Edition, 1819.)

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APPENDIX TO PART III.

The Libel against Montrose in 1641.

Charles Be the grace of God King of Grit Britane and Ireland, Defender of the Faith, To our Lovittis Lyonn king at arms, Herauldis, Pursevanttis, and Messengeris, John Malcome Ross herauld, [*a blank in the manuscript*] Our Shirreffis in that pairt, conjunctlie and severallie specialie constitut, greiting. Our will is, and we charge you, that ye peremptorlie summound, wairne, and chairge James Erle of Montrois [*a blank in the manuscript*] to compeir befoir Us, and the Estaittis of Parliament presentlie convenit be Our authoritie in the Parliament Hous of Edinburgh, upone the fourteint day of August nixttocume, to answer at the instance of Sir Thomas Hope of Craighall knycht baronet, Our Advocat for Our entres, and of Sir Thomas Nicolsone of Carnok knycht, Mr Rodger Mowat, Mr Alexr. Pearsone, Mr James Baird, and Mr Thomas Nicolsone, Procuratouris chosin for the Estaittis of Parliament. That is to say, the said James Erle of Montrois to heir and sie himselff decernit be decreet of the saidis Estaittis of Parliament to haue committit the hynous crymes particularlie eftir specifeit, and heirby to have incurred the paines and punishment eftir following. In sua far as, albeit be the commoun Law and Lawis of this Realme, perjurie is punischable in maner following *respectivé*, viz. perjurie in contraveineing and comeing againest a promissorie aith is punischable *pena infamiæ* be the Civill law, and perjurie in generall hes its proper paine exprest in the Act of Parliament of Quein Marie, 19 Act 5. Parliament, beirand the paines of perjurie to be confiscatioune of all guidis

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moveable, and wairding yeir and day and longer duiring the Soveranes will, and as infamous persones nevir to brook office, honor, dignitie, nor benifeit in tyme to come; quhilkis paines in all justice and be ressone aucht to be exactit and inflicted wher the contraveineing of the saidis aithes redoundis to the prejudice of the publict estait of the Cuntrie: Att the leist, the saidis crymes being fund punischeable in maner foirsaid be the Commoun and Municipall Law of this Realme, wher it redoundis as said is to the hurt and prejudice of the Commonwealth, the same deserves punischment *arbitrio Judicis per viam extraordinariæ cognitionis;* that is, at the arbitrament of the Judge whatsumevir, and namelie of the suprem Court of Parliament be way of extraordinarie cognitioun, in the delinquentis persone, estait, and guidis, name and faime, and in all or ane or mae of the same, or uther wayes as it sall befind them to find the said cryme to dimerit: And sicklyke of Law and Equitie, whair any pairtie solemnlie promittis by aith to performe any thing without violatioune, and calls the leiving God, the searchar of all harttis, to witnis, who knawis that to be his sinceir desir and unfained resolutioun, as he sall answer to Jesus Chryst in the great day, and under the paine of evirlasting wraith and of infamie, and alse of los of all honour and respect in this world. If the pairtie so promising violat and contravein the said aith, he is lyable to the censure of infamy and loss foirsaid, be vertew of the certificatioune, paine and comination subjoined thairto. Trew it is that, be the Covenant, aith was givine be the Erle of Montrois that he sould nevir, directlie nor indirectlie, suffer himselff to be devydit or withdrawin, be whatsumevir suggestioun, allurement, or terrour, from that blissed and *loyall* conjunctioun, nor sould cast in any lett or impediment that micht stay or hinder such resolutiounes as be common consent sould be fund to conduce to so guid endis; bot on the contrair, sould by all lawfull meinis labour to further and promove the same; and gif any such devilisch motioune sould be maid to his Lordship be word or wreat, that he sould aither suppres it, or gif neid war, incontinent mak the same knawin, that it micht be timouslie obviated, and that this unioun and conjunctioun micht be observed without violatioune. The said Erle did call the liveing God, the serchar of all harttis, to witnes, who knawis that that was thane his sincere desyr and unfained resolutioun, as he sould answer to Jesus Chryst in the great day, and under the paine of Godis evirlasting wraith, and of infamy and loss of all honour and respect in this world. And siclyke be the aith maid be his Lordship at the acccepting of his charge as one off the Committie of Estait, his Lordship solemnlie promissit fidelitie and dilligence in the publict intres; quhilk aith his Lordship hes contraveined and cume againest, in

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swa far as his Lordship, contrair to the solemne aith of the Covenant, utered purposses to Mr Robert Murray, Provest of Methveine, and Mr Johne Robertsone, Minister at Perth, about Candlemes last in anno 1641, in the Town of St Johnestoun, beiring that he knew sum particullar persones to have particullar courses contrair to the Caus and Covenant, whilk war purposes of divisive motioun; and whilk purposes the said Erle concealed frome the Publict, and did not delate the persones names, nor thair particullar endis contrair to the Publict; nather to the Parliament, nor Committie of Estait, eftir his allegit knawledge thairof, that the samen micht be tymouslie obviated; bot onlie vented them to privat persones, in privat housses; whilk is not onlie againes the solemne aith of the Covenant, bot also againes the aith of fidelitie and diligence maid be his Lordship att the accepting of his charge as one of the Committie of Estaittis; and whilk aithes his Lordship hes contraveined, in not haveing faithfullie and diligentlie reveilled and delated the saidis purposes to the Committie of the Estaittis, representing the saidis Estaittis. And siclyk the said Erle of Montrois hes violat his aith, and contraveined the aithes foirsaid of the Covenant, and att the acceptatioune of the chairge as one of the Comittie of Estattis, and thairby both wrangit the Publict and his awin honour, in sua far as, contrair to thes aithes, he haith vented purposses, and affirmed to Mr Robert Murray that the Estaittis war seiking conditiounes contrair to the Covenant; becaus the Estaittis had sworne not to incruche upone the Kingis prerogative; and likewayes thay war seiking more nor the lettre to the Erle of Lanerk requyred, whairin they declared thay wald seik onlie the articles contenit in the said lettre; for that thay now desyr that Officeris of Estaitt, Counsell and Sesioun, sould be chosin be the Parliament; and that thay war seiking the samen absoluitlie, or no peace: In utering of which speitches, he hes maid ane divisioun, or intertenit a devisive motioun, by inventing of that as ane errour comittit be the Comittie of Estaittis; and that to privat persones in privat housses; and not acquainting the Publict thairwith that he conceaved that thay committed ane errour: In so doeing whilk he nather did acquant them thairwith, nather could have any intentioun to have done the samen, becaus he himself was one of the subscryvares of the Instructiones whairby thair was warrand givin to the Commissioneris to mak humbill suite to his Majestie for obteineing of that poynt; and consequentlie in so doeing he in effect devydit himself from the Committie of Estait, and thair course whairto he had consentit be his subscriptioun, and did impart the samen in a criminatting way to the said Mr Robert Murray, wha be his charge [*manuscript destroyed*]. And gif his Lordships

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speitches micht have moved the said Mr Robert to have bein of his opinioun, thair was evident danger to have followed; in that the said Mr Robert micht have had ane grit hand with the gentilmen heretouris and comounes of his parochin, and the whole presbatrie of Perth, whairof he is one of the ministeris most ancient and of speciall note, and sua broucht them all upone that factioun againes the comoun laws, and course of the Committie of Estaittis; whome the said Erle of Montrois had in effect challenged of perjurie, in affirmeing so peremptorlie, to the said Mr Robert, that the Comittie of Estaittis war seiking conditiones contrair to the Covenant; becaus thay had sworne not to incruche upone the Kingis prerogative; and that thay war seiking more then the lettre to the Erle of Lanerk contenis, whairin thay had declaired thay wald seik onlie thes articles contenit in the said lettre; for now thay desyr that Officeris of Estait, Counsell, and Sessioun sould be chosin be the Parliament; and that the Comittie war seiking the samen absoluitlie or no peace; albeit the suiteing of that poynt was nather incrucheing upone the Kingis royall prerogative, nor yet more nor was contenit in the lettre written to Lanerk; becaus it consistis verie weill with the royall prerogative that the Kingis guid subjectis may be his humble suitteris for anything that may conduce not onlie for setleing of the peace, bot also for administratioun of justice be able officeris, whois sufficiencie could not be bettir notified to his Majestie, before prefering them to thes places, nor be the whole bodie of the Kingdome representative, whilk is the Parliament and the Estattis conveined. And as for the said lettre written to Lanerk, this suite was in effect thairin conteined, within the generalitie of the last article thairin sett doune, whilk beiris, that his Majestie micht be pleised, with the advyce of the Staittis of Ingland conveined in Parliament, to condeschend to all particulares micht establische ane weill grundit peace, for injoyeing our Religioun and Liberties againes all feir of molestatioune, and undoeing us frome yeir to yeir as our adversaries sould tak advantadge. Lykas his Majestie and the Peiris of Ingland hes acknowledgit this suit to be a breache of the articles contenit in the said lettre, in so far as it hes pleissed his Majestie by the Peiris to give ane answer thairunto, and gif that the answer be not satisfactorie, remittis unto the consideratioun of the Parliament. And sua the Erle hes both unjustlie and untrewlie challenged the Committie of Estaittis of perjurie, and consequentlie hes maid and intertenit a devisive motioun in maner foirsaid.

Attour the said Erle hes maid and enterteined ane devisive motioun to the prejudice of the Publict, in sua far as, be a privat and a clandestein way, apairt be himself, being one of the number of the Committie of Estait, without knawledge

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of the Committie, and nawayes impairting the same to them, hes, in his privat Instructiones sent with Levetennent Collonell Walter Stewart to Traquair, and in the propositiones maid be Levetennent Collonell Walter Stewart drawin out of his said privat Instructiones, and presentit to Traquair, and in ane or other of them, desyrit that the Offices of Estait and utheris his Majesties royall favouris sould be keipit upe undisposed upone, and to be confered upone them that sould deserve best at Parliament; and namelie, to himself, Naper, and Keir, under the lettres of A. B. C;[1] albeit be the Instructiones directit be the Committie of Estait to the Commissioneris, subscryvit be himself as one of the number of the Comittie, thay had warrand not to deall for any of the said Offices to themselffes, bot, be the contrair, thay had warrand humblie to suite his Majestie that thay micht be confered be his Majestie with the advyse of the Parliament; whairin the said Erle hes indirectlie underhand ane devisive dealing, is manyfast, seeing be the said dealing he expresses himself contrair to the warrand of the saidis Instructiones to have bein of intentioun to have corrupted such as micht have bein induced, by the expectatioune of thes honouris, to have furthered be thair vote any designes in Parliament, whairwith the Publict was not acquaintit; whilk designes cannot be presumed to be any uther bot sinistrous motions, and suggestiounes, to have bein maid be him and his complices, to ane Prince contrair to the weill of the Publict, and the Estait fra whais Committie he did conceall the same, being one of thair number and obleist be his aith in the Covenant and subscriptioune thairof, and subscriptioune of the generall Band, not to devyd from them, nor to rin any course that micht import dissensioun or distractioun; and in so doeing hes contraveined his aithes foirsaid.

And siclyk, contrair to the saidis aithes and subscriptiones, he hes maid and interteined devisive motiounes, in swa far as he, haveing gottin ordouris frome the Generall, or from the Comittie of Estaittis, being ane commander of horsse and foot, to bring fordert his companies att ane certane day to Leith, he delayed for a long space, and did not obey the samen, and so did both hinder the conveineing and march of the armie, and also maid thairby thes companies idillie to spend thair fourtie dayes loaveing, to the grit prejudice of the comoun Caus, and to the grit charges of the Publict; and so hes contraveined his aith and dewtie prescryved be the comoun law, whairby souldioures and utheris in the millitarie charge, ar ordainet *respondere ad dilectum militiæ*, utherwayes to be haldin as *pro-*

[1] See *supra*, pp. 280, 292, and this Appendix.

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ditores libertatis: And in lyk maner, in the instructioun given be him to Leivtennent Collonell Walter Stewart, and propositiones drawin out of the samen be Leivetennent Collonell Walter Stewart, both sent and representit *respectivè* to the Erle of Traquair, ane indyted enemy to the Estaitt, he advyssit them to procuire frome his Majestie the disbanding off the Estaittis thair Armie, and that without consent of the Generall or the Estaittis, and without thair knowledge, he being both ane commander [under] the Generall, as said is, and one of the Committie of the Estaittis, and sworne to mentein the publict course, wharof one is most notourlie knawin to have bein the manteineing of ane michtie army, the disbanding whairof he wald have procuired be his dissalowable by-practeisses foirsaidis, to the waikining of the comoun Caus, and ruyne of the Estaitt,—the Enemy being standing one futt in a ffull armie undisbandit; whilk is a violatioune of his aithes both to the Estaitt and to the Generall. And siclyke the said Erle did solemnelie sweir the aith conteined in the articles and ordinances of war for the present expeditioun of the armie; and, namelie, to be trew and faithfull in his service to the Kingdome of Scotland, according to the head sworne by him in the Covenant, to honour and obey my Lord Generall and all his superiour officeris, and by all menis to hinder thair dishonour and hurt, to observe cairfullie all the articles of war, and camp disciplin, nevir to leave the defence of the Caus, and to fecht manfullie to the uttermost, as he sould answer to God, and as God sould helpe him: Amongest whilk articles and ordinances of war thair is ane expres one, that no man sall at his awin hand, without warrand of my Lord Generall, have or keipe inteligence with the Enemy,[1] be speitche, lettres, signes, or any uther way, under the paine to be punischit as ane traittour: Contrair to the whilk aith and article *respectivè* he hes laboured to procuire dishonour and hurt to the Generall, and haill officeris and commanderis, and hes nawayes observed the said article of war, and camp disciplin, and hes underhand left the defence of the Caus, and hes not abidin manfullie to the uttermost in the defence thairof, as he swore befoir God to have done, but hes labourit in maner foirsaid to disband the army without consent of the Generall, and hes keipit intelligence with the enemy, by sending lettres to Sir Richard Grahame, etc., being in the contrair army, without warrand of the Generall, whilk was

[1] His having communicated privately with the King on the subject of his coming to Scotland, to settle the distractions, was the head and front of Montrose's offending; and the gross effrontery of this libel, which is made to run in the King's name, and over which process he was even made to preside in Parliament, while the libel repeatedly points at himself as *the Enemy*, is remarkable.

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both directlie contrair to the said article, and contrair to the aith of the Covenant, devyding himself fromo the Publict, and interteineing inteligence with the Enemy: Whilk his devisive motiones ar yet more evident, contrair to his aithes foirsaid, in swa far as he motioned and labored to procuire ane ordour be the Comittie of Estaittis, at Newcastel or Dunce, to remove all noble and gentilmen frome the comittie tabill thair, that war not of the number of the Comittie; under pretext to have maitteris mor ordourlie, and secreitlie, and with les tumultuatioune, debaitted and concludit; whairupone many of the nobles and gentrie did remove themselffis, albeit the Comittie had power be thair Comissioune to call any to them whome they pleised, to have thair advyse; and eftir that the said Erle had win his poynt, in removeing of the saidis nobles and gentrie, he did move ane complaint to the said nobles and gentrie, that publict matteris was caried be a few of the Committie, and that the rest of the nobilitie and gentrie war slichted, and nawayes admitted to heir, far les to contribut thair advyse to the governament of the publict affaires; and in so doeing did most malignantlie saw divisioune, dislyk, and jealousies, betwixt the Committie of Estait and the said nobilitie and gentrie, contrair to his foirsaidis aithes, and dewtie, whairunto he was bund by the Covenant and articles of war, and to the prejudice of the commoun Caus, and to the publict Estaitt of the kingdome, and to the Army, and that be continwall uninterrumted practiesses, and machienatiounes, and doubill cariadges, and underhand dealinges, in maner befoir rehearssit: And farder, hes maid and interteined devisive motiones, contrair to the said aithes, and that in prejudice of the Publict, in swa far as, in his Instructiounes to Walter Stewart, one of the articles is to procuire ane act of pacificatioune and oblivioune to be past for secuiring of the subjectis from all questioun heirefter for what hes bein done in thir last trublis, whilk importis ane oblivioune in all crymes committed be the *Incendaries*,[1] and impunitie to them, contrair to the instructiounes givin be the Committie of Estait, whairof the Erle himself is one, and subscryvar of the samen in severall injunctiones and missive lettres, whairby the Commissionares had warrand, in the treattie of peace, to crave of his Majestie that the Incendaries micht be sequestrat frome his Majesties persone, and sent home to Scotland to be punischit in Parliament; and in so far as concernis the Erle of Traquair, to whome he directit the said privat instruc-

[1] All who evinced publicly any opposition whatever to the democratic movement of the Argyle faction, or any inclination to support monarchical government, were denounced and libelled under the denomination of *Incendiaries*. See *supra*, p. 234.

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tiounes,[1] the setting doune of that article was contrair to the said Erle his severall protestatiounes maid be his Lordship in Parliament, whairby he allowed the said Erle of Traquair to be ane incendarie, and that thairfoir he sould not be acknawledged to be as Commissioner, being indyttet to the Parliament for hynnous crymes, and as one offender in that kynd, as one of the incendaries. And farder, the contraveineing of the said aithes is the mor hynnous upone the pairt of the said Erle, in swa far as they concure with the violatioune of his subscriptioune of the general Band, solemnlie subscryvit in Parliament the elivint day of Junij 1640, whairby his Lordship, with the rest of the noblemen and memberis of Parliament thair present, did, for preveineing of all factiounes, contentiounes, and divisiounes, whilk micht arryse in the prejudice of thair unioun frome malicious suggestiones and insinuatiounes of thair adversaries, band and obleist themselffis, and everie ane of them, upone thair honour and credit, and as thay desyred to be and be halden trew loveares of thair cuntrie, and of Religioun, Lawes and Libertie thairof, to manteine the Actis of the said Parliament, whairof the ratificatioune of the Covenant abovewrittin is one; and whilk aith of the Covenant he hes contraveined as said is, notwithstanding of the subscryveing of the said Band for manteinance thairof.

Item, be the 43 Act of the 2 Parliament of King James I., and be the 205 Act of the 14 Parliament of King James the sext, all leasing-makeris, and telleris of them, whilk may ingender discord betwein the King and his people, ar punischeable be tinsell of thair lyff and guidis; whilk Actis ar renewed and revived be ane expres Act of this present Parliament, intitulat Act againes leasing-makeris; whilk punischmentis aucht in all justice and ressone to be more preceisslie inflicted and exactit when thay concure with the cryme of perjurie: Att the leist, the said cryme, being fund punischable in maner foirsaid be the saidis twa Actis of Parliament, deserves punischment *arbitrio judicis per viam extraordinariæ cognitionis;* that is, at the arbitrament of the Judge whatsumevir, and namelie of the supream Court of Parliament, be way of extraordinarie cognitioun, in the delinquentis persone, guidis, estaitte, name and faime; and in all, or ane or mae of the samen; or utherwayes as it sall pleis them to find the said cryme to dimerit. And trew it is that the said Erle of Montrois hes spokin and uttered to the said Mr Robert

[1] Montrose and his friends had not put themselves into communication with Traquair at all; as Montrose himself, Napier, Keir, and Blackhall, four of the highest minded men in the kingdom, all declared upon oath; and their oaths were confirmed by that of Traquair to the same effect.

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Murray and Mr Johne Robertsoun, tyme and place above writtin, and to Collonell Cochrane at Newcastell, cumeing out of Chester with the Generall, the speitches and purposses eftermentionat: viz. That thair was sume upone courses for chainge of the governament; for thair hes bein ane motioun for depryving of the King; and that thair was intendit at the sitting of the Parliament in Junij 1640, to depose the King; and howsoevir it was contineued at that tyme, it wald be the first act of the nixt enschewing Sessioun of Parliament; and that thair was a motioun for setting upe a Dictatour, and for establischeing a Triumvirat; and that thair was Bandis maid, to have bein subscryvit be the subjectis, of fidelitie and fialtie; and for a particullar way off subjectioun to particullar persones; and that the chainge of governament was not conditionall or *protunc*, in caice of unavoydable extremitties, bot absoluit; and thairfoir that thay, meineing thairby the Comittie, war seiking conditiones contrair to the Covenant; becaus we have sworne not to incruche upon the Kingis prerogative; and that they war seiking mor nor the lettre to the Erle of Lanerk conteined: viz. That the Officeris of Estaitt, Counsall, and Sessioun sould be chosin be the Parliament; and that thay war seiking them absoluitlie, or no peace: Whilk discourses and purposes his Lordship is not able to verifie to be of truith, and swa ar leassings told be his Lordship, whilk may ingender discord betwein the King and his people; be speiking and uttering whairof his Lordship hes not onlie contraveined the saidis Actis of Parliament maid againes leasing-makeris, and telleris of them, bot also hes violat and contraveined his aithis solemnlie givin at the subscryveing of the Covenant, and at his resaveing of his chairge as one of the Committie of Estaittis, and alse hes violat his subscriptioune of the generall Band, maid and subscryvit for manteinance of the saidis Actis of this present Parliament, whairof the renewing and reviveing Act is one, all maid anent the suppressing or dilateing incontinentlie of devisive motiones, that thay micht be tymouslie remeidit; and also thairby hes bein ane direct maker of ane devisive motioun himself; in swa far as he utred thes speitches anent the Committie of Estaittis, thayr craveing of the Offices of Estaitt, Counsell, and Sessioun to be disposed upon be advyse of Parliament; and that thay being soe doing, cruitched upone the Kingis prerogative; albeit he himselff, amonges many utheris of the Committie of Estait, did subscryve himself the Instructiones givin to the Commissioneris be the Comittie of Estaitt, humblie to crave that poynt att his Majesties hands in the treattie; and whilk instructiones subscryvit be him did nawayes give warrand to crave that poynt anent the offices, to have it obtenit, or no peace: And so the said Erle haith hatched himself and

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forgit that devisive motioun, contrair to the aith of the Covenant and to his knawledge, haveing subscryvit the instructiones; and swa hes both comitted againes the saidis Actis of Parliament against leaissing-makeris, and telleris thairof, and hes also contraveined his aith; and so hes incurred the paine contenit in the saidis Actis, and also the said paine of perjurie: At the leist he aucht to be censorit and punisched *arbitrio judicis per viam extraordinariæ cognitionis;* that is, att the arbitriament of the Judge whatsumevir, and namelie att the heid Court of Parliament, be way of extraordinar cognitioun, in the delinquintis persone, estait, guidis, name and faime; and in all, or ane or mae of the same, or otherwayes, as it sall pleis to find the said cryme to dimerit.

Item, be the comoun law, and law of nature and nationes, and justice and ressone, whasumevir enteris in treattie of combinatioun of freindshipe with ane notour enemy to the Estaittis, or avowed enemy to the Estait, and to that effect *mittit hosti nuncium, literas, vel signum, quo suo concilio jubetur hostis publicus,* comittis the cryme of Lesemajestie, and sould incure the paine thairof, whilk is the loss of landis, lyff, guidis, and honour, name and faime; especiallie whair the said cryme concurred with the cryme of perjurie and violating a promissorie aith maid to the Publict and to the Estait; with whose notour or avowed enemy by them he enteris in treatie of freindschipe in maner foirsaid; and so both deserves the punischment of the said cryme of Lesemajestie, and the paine of perjurie for both the saidis crymes, and for ather of them respective; at the leist deserves to be censuret and punischit *arbitrio judicis per viam extraordinariæ cognitionis;* thatt is, at the arbitriament of the Judge whatsumevir, and namelie of the supreame Court of Parliament, by the way of extraordinarie cognitioun, in the delinquentis persone, estaitt, guidis, name and faime, and in all, or ane or mae of them, or utherwayes as it sall pleis them to find the saidis crymes to dimerit: And trew it is, that the said James Erle of Montrois hes practised and intercommuned with James Lord Ogilvie, and entred in freindschipe with him, and assisted the said James Lord Ogilvie with his counsell, advyse, helpe, and favour; the said James Lord Ogilvie being in the mein tyme ane publict and avowed enemy of the Estait; and againes whom the Committie of Estait had directed ane commissioun of fyre and sword as againes the avowed enemy and publict enemy of the Estait;[1] and whilk commissioun so directit againes my Lord Ogilvie was subscryvit be the said James Erle of Montrois; whairby it was most manyfest to the said James Erle of Montrois that the said James Lord Ogilvie

[1] See *supra*, pp. 257 and 264.

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was ane notour and manyfast enemy to the Estait; and swa avowed to be by the Estait; notwithstanding whairof the said James Erle of Montrois entred in freindschip with the said James Lord Ogilvie, the notour and avowed enemy of the Estait of his certane knawledge, practised and intercomuned with him, fortified and assistit him with his helpe, advyise, and favour, to the prejudice of the Publict, in maner following, viz.—Wheras the Erle of Argyle, cled with ane publict comissioune, impossit upone him be the Committie of Estaittis, to goe in all hosteill maner with fyre and sword againes the said James Lord Ogilvie,—as ane notour, manyfest, and avowed enemy of the Estait,—with his Armie and forces in the monethe of [June 1640],[1] with [*manuscript destroyed*] distance to the hous of Airlie, and that to the knawledge of the said Erle of Montrois (whilk the said Erle of Montrois could not bot knaw, seing the said Erle of Argyle [*manuscript destroyed*] publict a way, with ane competent armie in the fieldis, for executioune of [the said commission] subscryvit by the said Erle of Montrois as said is), within the whilk hous of Airlie [the said] Lord Ogilvie was for the tyme, whairin he had fortified himself in al [*manuscript destroyed*] hold the samen againes the Publict: Trew it is and of veritie, that the said Erle of Montrois went to the hous of Airlie, and haveing practeised and [intercommuned] with the said James Lord off Airlie, ane notour and avowed enemy of the Estait, [and in] freindlie maner dismissit the said James Lord Ogilvie, advyssit and sett him forward in a way to eschaipe, and that to the prejudice of the Publict, and contrair to the comissioun abovewrittin, subscryvit by the said James Erle of Montrois, being ane Colonell, and haveing ane regament standing in Angous for the publict service, was of power to have, and in dewtie sould have rather ceissit and apprehendit the said James Lord Ogilvie; att the leist to have keipit him within the said hous of Airlie, and beseadgit the hous till the Erle of Argyle had comed with his armie: Lykas the Erle of Montrois, in ane assisting, freindlie and favourable way, permittit the said James Lord Ogilvie to emptie the said hous of Airlie, and tak away with him all moveabillis of whatsumevir worth within the hous; to the frustrating of the commissioun givin be the Comittie of Estaittis, as said is, for apprehending of the said James Lord Ogilvie, and for ceising upon the hous of Airlie, and moveabillis within the samen, to the use of the Publict: Lykas the said James Erle of Montrois, efter he had dismissit the said James Lord Ogilvie, he maned the hous, and delyverit the samen to Leivtennent Colonell Sibbald, being speciall followares, etc: Whilk Leivetennent Colo-

[1] See *supra*, p. 258.

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nell, as haveing in keping the samen hous by warrand of the said Erle of Montrois, in ane contemptable arrogant way refuissit to delyver the said hous to the said Erle of Argyle, commissioner foirsaid: In doeing whairof the said James Erle of Montrois hes given and contributit helpe, favour, and assistance, counsell and advyse, to the said James Lord Ogilvie, ane manyfest and avowed enemy to the Publict, as said is; and that to the grit prejudice of the Publict, and to the equavatting and disapoynting of the commission abovewrittin, grantit be the said Committie of Estaittis to the said Erle of Argyle; Lykas the said James Erle of Montrois hes enterit in treattie of combinatioune of freindschipe with Johne Erle of Traquair, who is ane notour and avowed enemy to the Estaitt, and avowed be the Estaitt to be thair enemy; and that of his knawledge, in swa far as he is avowed to be ane publict enemy to the Estaitt by the Parliament and Estaittis thairin conveined; and in the first of Parliament in July 1640, anent the ressone of thair sitting still; and in the act of, or subscryveing of the Band of manteinance of the Actis of Parliament, whilk was vottit to and subscryvit be the said Erle of Montrois, whairin thay expres that the said Erle of Traquair maid false relatiounes to his Majestie, and the Counsell of Ingland, againes thair parliamentary proceidingis, and thairby caussit them to caus decerne againes them as rebellis and traittours: Lykas the said expressiones of the Estaittis of Parliament of this Kingdome war *ex notoritat* of his offences againes the Estaittis; whilk could not [but] be notour unto them; first, in regaird that the said Erle of Traquair had vented the lyk tressonable expressioune againes the Estaittis befoir the articles of this present Parliament in judgment; secundlie, in regaird of the publict report of thair Commissioneris immediatlie befoir maid to the Estaittis, anent the said Erle of Traquair his said false relatioune to the Counsell of Ingland, and his denyall of his simple subscryveing of the Covenant, and his subscryveing of the warrand for the imprissonement of the saidis Commissioneris; thridlie, in regaird of the Kingis Majestie his awin printted declaratioune againes the saidis Estaittis, as traitouris and rebellis, and affirmeing in print his Majesties informatioune of thair Parliamentarie demandis as insolent and prejudiceall to his Majesties honour and saiftie; and so his Majesties expressiones of that kynd to follow frome the said Erle of Traquair: All whiche grundis of notorietie, frome his awin expressioun befoir the articles, frome the report of thair Commissioneris, and frome his Majesties printted declaratiounes, was all the tyme of the said Parliament notourlie knawin to the saidis Estaittis, and occasiouned the foirsaidis expressiones contenit in the saidis twa articles, and ar moir lairglie sett doune in the proces againes the said Erle of Tra-

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quair. Lykas, the said Erle of Traquair, lang befoir the Erle of Montrois his entrie in treattie of combinatioune of freindschipe efter specifeit, was indyttit and summound be the Estaitt to compeir befoir the Parliament for sundrie tressoneable deidis, and other heavie crymes committit againes the Estaitt: And siclyk when the Commissioneris of Estaitt repaired to Rippone to treattie anent the pacificatioune with the Peiris of Ingland, thay resaveitt injunctiounes frome the Comittie of Estaittes not to treatt att all with the Peires, except the Erle of Traquair war removed; and siclyke when the treattie of pacificatioune was appointit to be transportit from Rippone to Lundone, the said Commissioneris of Estaitt resavett new instructiones frome the Committie of Estaittis, whairby the Commissionares war ordanit not to treat att all with the Peires thairanent quhill that Traquair war removed fra the treattie: Lykas thaireftir, be severall instructiounes and missive lettres directed frome the Committie of Estaitt, and subscryvit be the Erle of Montrois as ane of thair number, to the Commissioneris att Lundone, the Commissionares resaved warrand to demand of the King and Peires that Traquair micht be sequestrat frome his companie, and sent home to Scotland as one of the incendaries, and the Commissioneris dischargit to converse with him; and farder, the said Erle of Montrois, in proper persone, and in plaine and publict Parliament, protestit publictlie, twyse at the leist, once againes Traquair, that he was nawayes to be acknowledgit Commissioner,—nor so meined be the Kingis Majestie in his letter direct be his Majestie to the Estaittis, whair mentioun was maid of his Majestie's sending his Comissioner,—in respect he was summound to the Parliament as ane incendarie, and for uther hynnous crymes againes the Estaitt, for making of the whilk protestatioun the Erle of Montrois was chosin be the Lordis Comissioneris of Parliament thane present for the tyme, and this all befoir his entrie in treattie of combinatioune of freindschipe with the said Erle of Traquair; att the leist partlie befoir, and pairtlie efter and duiring his treattie with Traquair; whilk is ane double dealing, and ane fraudulent dishonorable cariadge, playing with both the handis, and that to the prejudice of the Publict; whilk, not onlie in that caice whilk concernes the Estaitt, bot in privat bussines betwixt privat subjectis, fallis directlie within the comptes and blemische of the cryme of stellionat: Whilk summounding, instructiones, missives, and protestatiounes, war perfyttlie weill knawin to the Erle of Montrois; in swa far as the summounds was ane publict citatioune publischit at the mercat croce of Edinburgh, peir and schoir of Leith, and swa presumed notour to the haill leidges; and the saidis protestatiounes or protestatioune emittit be the said Erle of Montrois did beir expreslie that the said Erle of Traquair was sumoundit

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to the Parliament as ane incendarie; and both the instructiounes and missives war subscryrit be the Erle of Montrois himself; so that he could pretend no ignorance that the Estaittis had reputted and awowed the said Erle of Traquair for thair publict enemy: Notwithstanding whairof the said Erle thairefter enterit in treatie and combinatioune of freindschipe with the said Erle of Traquair, the notour and avowed enemy of the Estaittis off his certane knawledge, in maner following, viz.: The said Erle being att ane meitting efter Yuile last with the Lord Naper, the Laird of Keir, the Laird of Blakhall, and Leivetennent Colonell Walter Stewart, whilk was in the said Erle of Montrois his bed chalmer efter supper, the said Erle of Montrois told the Leivetennent Colonell Walter Stewart that he fand sum that had thair awin endis in the publict bussines, and thairfoir thocht it fitt that he and such as had effectioun to the King sould rin ane course, and gave warrandyce to the said Leivetennent Colonell Walter Stewart, who was thane goeing for Court, to represent to the said Erle of Traquair, that he micht schaw unto the King the said Erle of Montrois his intentioun, and that the Duck of Lennox and the said Erle of Traquair and thair freindis sould joyne in freindschipe to run one way with the said Erle of Montrois, Lord Naper, Lairdis of Keir and Blakhall, to manteine themselffis againes all thes who wald oppose the Kingis Majestie or them. Lykas ane nicht, eftir the said meitting, the said Erle of Montrois had ane uther meitting in my Lord Naperis hous, whair the said Erle was present with the saidis Lord Naper, Lairdis of Keir and Blakhall, and Leivetennent Colonell Walter Stewart, whan thair was privat instructiones drawin upe, dytit for the maist pairt be the Erle of Montrois, bot not subscryvit be him, leist thay sould be interceptit, and war writtin be the said Leivetennent Colonell Walter Stewart, writtin in ane covered cabalestick way of letters of the abacie, [a, b, c,] for names; of the whilk privat instructiounes the tennour followis.—'Leivetenent Colonell Walter Stewart his instructiones: How necessar it is that R come doune to the Parliament: To desyr that H be keipit upe till it be sein who deserves them best: That the H be not bestowit be the advyse of the Elephant, for feir he crusche the L: To assuire L that R and L grantit, he will be powerfull to crusche the Elephant: Not to let L drink watter, unles he promeis not to cast it againe: To assuir D and T that except thay tak Genero be the hand, thay will be trod upon att home, and maid naiked: To assuire L, D, T, that Genero will tak him [L] by the hand, and leid him throw all difficultyes, R and L being grantit: That gif D or T wrytt, it most be in so generall ane way as na man cane gather any thing by it; and to both [friends] and enemies, and in thair awin particullares:' To the whilk paiper off instructiones ar sub-

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scryvit thir wordis following, writtin and subscryvit be the said Leivetennent Colonell Walter Stewart att Edinburgh the 9 of Junij 1641, viz.: 'This note was writtin be me, Leivetennent Colonell Stewart, in the Lord Naper his ludgeing, be the directioune and indytment of my Lord Montrois, Naper, Keir, and Blakhall, befoir my first goeing to Londone this last wintter, as witnesse these, writtin and subscryvit be me att Edr. the 9 of Junij 1641.' Be whilk misticall forme of instructiounes,—to cover his underhand dealling in designes of persones and thingis that he meined by severall letters of the abacie, and by beistis,—his drift appeires cleirlie, and his intentioun to scorne and deceave the whole Estaitt, or any of the upricht or weill myndit of thair number who sould happen possiblie to intercept the samen, or in whois handis the samen sould happen to come by chance or adventur, incaice of tinsell or utherwayes. For cleiring whairof the said Leivetennent Collonell Walter Stewart, being demandit upone aith, judiceallie declairit what persones war menit by everie letter, viz., that by M is menit the Erle of Montrois; and by the letter L is menit the Kingis Majestie; and by the letter T is menit Traquair; and by the letter K is menit the Laird of Keir. Lykas, the said Leivtennent Collonell Walter Stewart, be his explanatioune in the misticall paiper off Instructiones givin under his hand the 9 of Junij 1641, explaines the said paiper off Instructiounes, and the meineing of the letters and of the beistis thairin contenit to this sence and meineing following:—viz. 'That be the first article of the saidis Instructiounes, beiring how necessar it is that R come doun to the Parliament, is meined and understuid how necessar it is that the King come doun to the Parliament: That be thir wordis, to desyr that H be keipit upe till it be sein who deserves them best, is meined to desyr that the thingis, thairby meineing the Offices of Estaitt, be keipit upe till it be sein wha deserves them best: That be thir wordis, that H be not bestowit be advyse off the Elephant ffor feir he crusche the L, is meined that the Offices of Estaitt be not bestowitt be advyse of the Marques of Hamiltoune for feir he crusche the King: That be thir wordis, to assuire L that R and L grantit, he will be powerfull to crusche the Elephant, is meined to assuire the King that gif Religioun and Liberties be grantit, he will be powerfull to crusche the Marques: That be thir wordis, not to lett L drink watter, except he promeis not to cast it againe, is menit not to acquant the King any thing except he promeis to keepe secreite: That be thir wordis, to assure D, T, except thay tak Genero be the hand thay will be trod upone att home and maid naikit, is meined to assuir the Duik and Traquair, that except thay tak the Erle of Montrois by the hand thay will be keipit doun both att home and abroad: That be thir wordis, to assuire L, D, T, that G will tak him

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[L] by the hand and leid him throw all difficulties, R and L grantit,—is meined to assuire the King, the Duik, and Traquair, that my Lord Montrois will stand by him, [the King] and leid him throw all difficulties, Religioun and Liberties being grantit: And that be thir wordis, gif D or T wrytt, it most be in so generall ane way as na man cane gather any thing by it, and to both friends and enemies, and in thair awin particullares,—is meined that gif the Duik or Traquair wrytt, it most be in so generall ane way as na man can gather ony thing by it; and to wrytt to bothe pairties, and in thair awin particullares. Lykas, the said Leivetennent Colonell Walter Stewart, att the tyme of the resaveing of the said privat Instructiounes, had directiounes to the said Erle of Traquair, and warrand to impairt to him the Instructiounes. Lykas the said Erle of Montrois recommendit to him to propone to the said Erle of Traquair that A, B, C,—meineing thairby the Erle of Montrois, Naper, Laird of Keir, and ther freindis, micht be preffered and imployed to vaikand places as thay sould be fund to deserve. Lykas the said Erle of Montrois gave directiounes to the said Leivetennent Colonell Walter Stewart, ather at the said Leivetennent Colonell his first goeing to Court eftir Yuile last, or att his secund goeing sensyne, to purpose to the Erle of Traquair that the armie sould be disbanded befoir the King come to Scotland, and that it was not fitting his Majestie sould come to Scotland befoir the disbandoneing of the armie; whilk directiones the said Leivetennent Colonell Walter Stewart caryed upe to Court with him in his first voyadge eftir Yuil last, and maid his first adres to the Erle of Traquair, and told him the substance of his Instructiounes, and resaved answer frome the Duik of Lennox and Traquair, anent the joyneing in combinatioune and freindschipe with the said Erle, that thay could doe nothing thairintill till thay spak with the King. Lykas the said Leivetennent Colonnel Walter being thane att Court, and negotiating the said bussines and imployment put upone him be the said Erle of Montrois, did draw upe ano paper under his awin hand, of propositiones given be the said Leivetennent Walter Stewart to the Erle of Traquair, and whilk the said Leivetennent Colonell Walter Stewart did gather of his instructiounes whilk he had resavett from Montrois, Naper, Lairdis of Keir and Blackhall; whilk propositiones was to be proponit be Traquair to the Kingis Majestie; amonges the whilkis propositiones the particulares following ar speciallie sett doune in this maner, viz. 'That ane act of pacificatioune and oblivioun be past for securing of the subjectis for all questioun heirefter for what have bein done in thir last trubillis: That the subjectis be governed in all tyme cumeing, conforme to the lawis of the Kingdome formerlie establischit, and no utherwayes: This being done, his Majesties faithfull and loyall

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subjectis will manteine his Majesties persone, honor, and royall authoritie againes all men, and will suffer no uther innovatioune in lawis or utherwayes to be introducett: It is requisit that his Majestie keipe upe his Offices of Estait, and utheris his Majesties royall favouris, to be bestowed upone suche as sall best deserve att Parliament and else whair: That his Majestie be graciouslie pleissit to be present thair in persone, for countenanceing his awin service and his loyall and faithfull subjectis.' Lykas the said Erle of Traquair haveing mendit and alterit the sax propositiones in the forme and gramer thairof, with his awin hand in sum places, and in the uther places be the said Walter Stewart at his directioune, and the said Erle haveing schawin the saidis propositiones to his Majestie, he returned ane answer thairto, whilk answer is subjoyned to the saidis propositiones in thir termes following, viz.—'His Majestie agries to the first four propositiones, and upon assuirance of performance of the fyft, will use all possible menis so to dispose upone his effaires heir as that he may be in persone att the Parliament of Scotland, and in the meintyme will keipe upe all places and Offices of Estaitt, and uther markis of his Majesties royall favour of ony importance, undisposit upone, until sic tyme as he may bestow them upone pairties, according to thair merit and deserveing, at the Parliament: daitit at Whythall the 3 of Marche 1641.' Lykas also the said Leivetennent Colonell Walter Stewart, conforme to his directiones given to him be the said Erle of Montrois, did propone to Traquair his instructiones above writtin anent the disbandoneing of the armie, and anent the imployeing and preffering A, B, C, to vaikand places as thay sould be fund to deserve: Whairunto the Erle of Traquair answering,—'That particullar anent the disbandoneing of the armie behoved to rely upone the treatie betwixt the Inglisch and Scottische Commissioneris, and that the Kingis Majestie had promised that A, B, C, sould be prefferred to his thoucht as they sould deserve.' Lykas the said Leivetennent Colonell Walter Stewart resavett frome the said Erle of Traquair ane paiper of instructiounes when he was at Court, the first tyme he went upe in wintter last, whilkis instructiones and directiounes ar writtin in misticall termes, haveing letters, and ticks, and names of beastis, with uther covered expressionis, for names of persones and purposes; whilkis instructiounes war writtin be the said Leivetennent Colonell his awin hand, and recomendit and spokin of be the said Erle of Traquair to him, off the whilkis Instructiounes the tennouris followis, viz.—'To speik the Generall concerneing L. Stewart: To conceill L his homecumeing till thay heir from D, et D from them: To adverteis T with all diligence how . . . ar pleissit with the Tablet, and gif thair be any particullares thay wald have the L mor speciall in: That thay be not

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moved with reporttis of any alteratioun, or any thing derogative frome the Tablet, except thay heir from D: That the word *moderatioun* be explained to Genero: That . . . stryve to let the toun of Wigtown knaw how cairfull T hes bein to gait them satisfactioune, as my Lord Roxburgh will beir witnes, and that thay may be confident of satisfactioun: It is thoucht necessar that soume of the . . . who will be leist suspect come upe; and gif that cannot convenientlie be, that the beirar returne with all possible dilligence; and how soevir that he come upe befoir: That all menis be used for trying the informatioune againes the Drumadarie, and what forder cane be fund of his cariadge with M'Duff, or ony uther thair in thes pairtis, whairin Signior Puritano and sum of the Ridschankis freindis cane best informe and instruct: To assuir Signior Puritano that he will gait satisfactioune anent the waird and marriage he desyris, bot that now it is not ane fit time for him to doe it, or ony uther so disposed as he is: To tell Genero that alse sone as Dick comes to the schoole, who is daylie luiked for, he will lett him heir from L: To let . . . knaw how weill L takis thair cair, and in the discretest way to informe your selffis off thair desyris, and particullarlie gif Reik aymes upward: To try the summonnds raised againes T: To send upe ane double, that he may compair them with that whiche he hes gottin, and to assuir . . . and all utheris, that he sall cleir himselff of all thes alse cleir as day licht: That by all menis thay labour with the plantatiounes, to let them knaw, the Tablet being filled upe and maid guid, how mutche it concernes them to schow themselffis affectionat to L.' Whiche instructiounes, in suche hieroglyfik and mystic termes, explained be the said Leivetennent Colonell Walter Stewart under his awin hand and subscriptioune the 10 of Junij 1641, upone the paper concerneing the saidis Instructiounes, in maner following, viz.—That by L is meined the King; by D the Duik; by the thrie tickis, Montrois, Naper, and Keir; by Genero, the Erle of Montrois; by the toun of Wigtoun, the Erle of Wigtoun; by satisfactioun, anent his Uscherie; by the Drumadarie, my Lord Argyle; by M'Duff, M'Cleane (as the said Leivetennent his memorie serves him); by Signior Puritano, my Lord Seyfort; by Redschankis, M'Donald; by Dick, Sir Richard Grahame; by schoole, the Court; gif Reik aymes upward, gif Keir desyris preferment (but nevir spok the samen to him); by plantatiounes, Commissiouneris of Parliament; by the Tablet, the paiper conteining the propositiones maid to his Majestie, and his Majesties answer. So that the meineing of the saidis Instructiounes in mistick and hieroglyfick termes, givin be the said Erle of Traquair to the said Leivetennent Colonell Walter Stewart, according to the said key and explanatioun givin be the said Leivetennent Colonell

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under his awin hand, as said is, as followis, viz.—That be thir wordis, to conceal L his homecumeing till thay heir frome D, or D from them, is menit the Kingis home comeing, till thay heir word from the Duik, or the Duik from them; and be thir words, to adverteis T with all dilligence how . . . ar pleissit with the Tablet, and gif thair be any particulares thay wald have the L mor speciall in, is meined to adverteis Traquair with all dilligence how Montrois, Naper, and Keir ar pleissit with the paiper conteining the prepositiounes maid to his Majestie, and his Majesties answer, and gif thair be any particullares thay wald have his Majesties mor speciall in; and by thir words, that they be not moved with reporttis off ony alteratioune, or ony thing derogatorie from the Tablet, except thay heir from D, is meined that thay be not moved with reporttis of ony alteratioun, or ony thing derogatorie frome the paiper concerneing the propositiones maid to his Majestie, and his Majesties answer, except thay heir from Dick; and be thir wordis, moderatioune be explained to Genero, is meined, that the word moderatioune be explained to the Erle of Montrois; and be thir words, that . . . stryve to lett the toune of Wigtoun knaw how cairfull T has bein to gait them satisfactioune, as my Lord Roxburgh will beir witnes, and that thay may be confident of satisfactioun, is meined, that Montrois, Naper, and Keir stryve to lett the Erle of Wigtoun knaw how cairfull Traquair hes bein to gait him satisfactioun anent his Uscherie, as my Lord Roxburgh will beir witnes, and that he may be confident of satisfactioune therein; and be thir words, it is thoucht most necessar that sum of the . . . who will be leist suspect come upe, or gif that cannot convenientlie be, that the beirar, Leivetennent Colonell Walter Stewart, returne with all possiblie dilligence, and how soevir that he come upe befoir, is meined, that it is thoucht most necessar that some of the foirsaid thrie, viz. Montrois, Naper, or Keir, who will be least suspect, come upe, or gif that cannot convenientlie be, that the beirar return with all possible dilligence, and how soevir that he come upe befoir; and be thir wordis, that all menis he usett for trying the informatioune againes the Drumadarie, and what farder cane be had of his cariadge with M'Duff, or any uther thair in thes pairtis, whairin Signior Puritano and some of the Redschankis freindis can best informe and instruct, is meined, thatt all menis be used for trying the informatioune againes the Erle of Argyle, and what further cane be found of his cariadge with M'Cleane, or ony other in thes pairtis, whairin the Erle of Seyfort and sum of M'Donaldis freindis can best informe and instruct; and be thir wordis, to assuir Signior Puritano that he will gait satisfactioun anent the waird and marriadge he desyris, bot that now it is not

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ane fitt tyme for him to doe it, or any uther soe disposed as he is, is meined, to assuire the Erle of Seyfort that he will gait satisfactioun anent the waird of marriadge he desyris, bot that now it is not a fit tyme for him to doe it, or ony uther disposed as he is; and be thir words, to tell Genero that so sone as Dick comes to the schoole, who is daylie luiked for, he will let him heir from L, is meined, to tell the Erle of Montrois that so sone as Sir Richard Grahame comes to Court, who is daylie luikit for, he will lett him heir frome the King; and be thir wordis, to lett . . . knaw how weill L takis thair cair, and in the discretest way to enforme your self of thair desyris, and particullarly gif Reik aymes upward, is menit, to let Montrois, Naper, and Keir knaw how weill the King takis thair cair, and in the discretest way to enforme your self of thair desyris, and particularlie gif Keir desyris preferment; and be thir wordis, to try the summoundis raissed againes T, and to send upe ane double, that he may compair them with that whilk he had gottin, and to assuir . . . . , and all utheris, that he sall cleir himself of all thes alse cleir as the day licht, is meined, to try the summoundis raissit againes Traquair, and to send upe ane double thairof, that he may compair them with that whiche he hes gottin, and to assuir Montrois, Naper, and Keir, and all utheris, that he sall cleir himself of all these alse cleir as day licht; and by thir wordis, that by all menis thay labour with the plantatiounes, to lett them knaw, the Tablet being filled upe and maid gnid, how much it concerns them to schaw themselffis affectionat to L, is meined, that by all menis thay labour with the Commissioneris of Parliament, to lett them knaw the paiper conteineing the propositiounes maid to his Majestie, and his Majesties answer being maid, how mutche it concernis them to schaw themselffis affectionat to his Majestie. Lykas the said Lievetennent Colonell Walter Stewart comeing from Court in Marche last, mett with the Laird of Keir at Newcastell, and delyvered to him ane letter frome the Duik of Lennox to Montrois in favores of the Erle of Traquair, and gave to the said Laird of Keir a double of the paiper conteineing the propositionis drawin aff uther instructiounes, togidder with his Majesties answer thairto, whilk the Laird of Keir copied and keiped, togidder with the copie of the saidis instructiounes; whilk copie of the paiper conteineing the propositionis maid to his Majestie, and his Majesties answer, the Laird of Keir schew to the Erle of Montrois and left it with him, who keiped it ane day or twa, and thairefter gave it back againe to the Laird of Keir. Lykas also the said Leivetennent Colonell Walter Stewart, in his foirsaid returneing frome Court in Marche last, gave ane accompt of his negotiatioune to the said Erle of Montrois, whome he fand at Broxmouth, and relaitted to the said

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Erle the haill proceidingis of his negotiatioun at Court, as is befoir relaitted. Lykas also when the said Colonell Walter Stewart went last to the Court, eftir his returne frome Court in Marche last, he mett with the said Erle of Montrois at Newcastill, who delyverit to the said Levetennent Colonell ane letter to the Duik of Lennox, and recommendatiounes to the Erle of Traquair to sie that thes thingis sould not be alterit which war formerlie determeined, bot that thay sould hold; which the said Leivetennent Colonell did accordinglie; and to testifie the Erle of Montrois his earnestnes in prosequuting thes hosteill practises, he conduced and hyerd the said Leivetennent Colonell Walter Stewart, who was mediatour and eirand beirar, out of his Lordshipis illaudable liberalljtie in so evill ane purpose, be delyvering to the said Leivetennant Colonell the soume of four hundrethe markes: Whilk maner of negotiatioun, so covardlie convoyed in matteris of so heiche consequence againes the Estait, Lawis, and Liberties of the land, was ane daingerous entering off treattie of combinatioune of freindschipe with ane notour and avowed enemie of the Estaitt, of his knawledge; which is the more unexcuisable that he himself in the meintyme was ordinarlie frequenting the table of the Committie of Estaitt both heir and at Newcastell as ane of thair number, and being also ane Crowner of twa regimentis, one futt and one of horse, for and in name of the Estaittis, whill he was practeising againes the Estaitt with their avowed enemy, being in the meintyme imployed in the foirsaid grit chairges for the Estaitt, and taking and giving counsell to and fra the said enemy of Estait for helpeing the said enemy in his designes in ane friendlie clandestine way: In doeing whairof, and practiseing and favoring the said twa notour, manyfast, and avowed enemyes to the Estait, in maner above writtin, the said Erle of Montrois hes contraveined the commoun law, the law of nationes and natture, and hes comittit the heich cryme of tressone againes the Estait and Cuntrie; and alse hes in ane most hynnous maner wronged the Estaitt, and practeised againes all justice and ressone; in doeing whairof also he hes contraveined his aith maid in the Covenant and at the accepting of the chairge as ane of the number of the Committie, in swa far as thairby he hes interteined devisive motioun, and in effect maid ane secreit secessioun from the Estaitt, and hes devydit himselff frome them, and hes unitted him self with thair nottour and avowed enemy; and so he hes incurred the paines bothe of Lesemajestie and of perjurie above rehearsit: At the leist, he deserves to be heich censourit *arbitrio Judicis per viam extraordinariæ cognitionis*; thatt is, at the arbitriament of the judge whatsumevir, and namelie at the Supreame Court of Parliament, be way of extraordinarie cognitioune, in the delinquentis persone, guidis, name and faime,

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and in all, or ane or mae of them, or otherwayes as thay sall find the said cryme to dimerit.

Item, be the 134 Act of King James the Sext, his 8 Parliament, 22 of May 1584, licentious speitches, to the contempt, disdaine, reprotche, dishonor, and prejudice of his Majestie, ar condemned, as whairby the subjectis ar stirred upe to mislyking, and to cast aff thair dew obedience, and thairfoir it is statut be the said Act that no subject, of whatsumevir functioune, degrie, or qualitie, sall presume or tak upone hand to utter any speitches to the disdaine, reprotche, and contempt of his Majestie, or to his dishonor or prejudice, under the paines conteined in the Act of Parliament againes makeris and tellaris of leasingis, and the said paine to be execuit againes them with all rigour, in example of utheris; whilkis paines contenit in the saidis Actis ar the tinsall of lyff and guidis. And siclyke, be 10 Act of King Ja. 6, his 10 Parl., 10 Dec. 1585, it is statut that no subject presume or tak upone hand to speik or wrytt ony purpose of reprotche or sclander of his Majesties persone, under the paine of daith, certifieing them that does in the contrair thay sall be reput as seditious and wicked instrumentis, enemies to the King and the commoun wealth of the realme, and the said paine of daith to be execuite upone them with all rigour in example of utheris, as the saidis twa Actis beires, swa thatt it followis that all comitteris of the said offence prohibittit be the saidis Actis aucht to be punischit be the paines thairin-contenit: Att the leist, seing the said offence is fund be the saidis twa Actis to be ane cryme, att the tyme the said Actis war maid, in meriting the saidis punischmentis, the comitteris thairof baithe deserves to be censorit and punischit *arbitrio judicis per viam extraordinariæ cognitionis;* that is, att the arbitriament of the judge whatsumevir, and namelie of the Supream Court of Parliament, be way of extraordinarie cognitioun, in the delinquentis persone, estait, guidis, name and faime, and in all, or ane or mae of the samen; or utherwayes as it sall pleis them to find the said offence to dimerit. And trew it is, that the Erle of Montrois, in the negotiatioune betwixt him and the Erle of Traquair, and his entering in treatie of combinatioune of freindschipe with him, being ane publict enemy, as is mentionat in the article immediatlie preceiding, in his cross and bywayes, contrair to the weill of the Publict, hes not spaired our gratious Soverane his awin persone, bott hes uttered and disgorged sundrie licentious purposses, and sett, or caused sett them doun in writ, and dyttit the samen, and directit them to the said Erle of Traquair, whilk war purposes of reprotch and sclander of his Majesties persone and reputatioun, whereby mislyking micht be moved and stirred upe of his Majes-

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ties undoubttit worthienes: In swa far as, in the foirsaid instructiones dytted be him to Leivetennent Colonell Walter Stewart, and writtin be Walter at his Lordshipis directioun, or uttered by the said Erle by speatche to the said Walter, (whilk instructiounes beires the foirsaid covered and misticall designatioune of persones be certane letters of the abacie), he hes spokin or writtin, or caussit to be writtin, most disgracefullie and scornefullie of his Majestie; and namelie, in that passadg thairof conseavit in thir schamefull termes, viz.—'Lett not L drink watter unles he promeis not to cast it againe;' whairby he meined, as the explanatioune of that passadge maid be the said Leivetennent Colonell Walter Stewart beires, that Traquair sould not acquant L, that is the King, with any thing, except he promeis to keipe it secreit; thairby ignimiouslie compaireing the King to ane drinker of watter whill he cast it againe; and fullie impropriating to his Majestie the blott of facilitie, indiscretiounne, and want of that laudable pairt and gift of secrecie, albeit it be knawin to all his Majesties subjectis, and manyfast to all the world, alsweil his Majesties freindis as foes, that his Majestie is in most eminent degrie repleat and compleat with, and in, all royall vertewis; and namelie, so just and gratious towardis his subjectis and this his ancient and native Kingdome, and of so greatt integrittie and innate benignitie, as his Majestie wald nevir suffer himselff to be induced to listen or give eair to ony suche double dealling and underhand wayes practeised be and betwixt the saidis Erles of Montrois and Traquair againes his Majesties loyal subjectis and State of this Kingdome; and amongest the rest of his Majesties most admireable perfectiounes, his Majesties constancie in just purposses for the weill of his subjectis, and secrecie when ressone and guid of the Estaitt requyres, ar not amonges the leist of his Majesties unparalele great and raire indumentis: And farder, in the said scornefull comparasone, the said Erle hes exprest himselff, in termes insufferreable in the persone of ane subject, in ane imperative way, to the disgrace of our Soverane, as gif his Majestie war to be comandit be ony privat subject as the said Erle is; in so far as the foirsaid articles is coutched in comanding termes, in thir wordis, 'Lett not L drink watter,' that is, the Kingis Majestie drink watter, 'except he promeis not to cast it againe,' as gif his Majestie war to be reullit and overreulled be the said Erle of Montrois and Traquair, whilk is in effect be the said Erle of Montrois an underhand deilling contrair to his aithes, and to the prejudice of the Publict; and be the said Erle of Traquair, the awowed enemie of the Estaitt in maner befoir qualified; whilk is ane intollerable vilefing of his Majestie, his persone and reputatioune, be slichting and lichtifull speatches of his Majestie, to his Majesties great reprotche, contempt, and dishonor, as gif his

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Majestie,—being our dreid Soverane, whome all his subjectis ar obleist, in all effauld-dulls humilitie and respect, to obey,—war ane underling to be comandit be the saidis twa indirect clandestin and disloyall practeiseris against the Estait: And sic-lyk, in the foirsaid instructiounes sent upe with Leivetennent Colonell Walter Stewart, be the said Erle of Montrois, the said Erle hes, in a verie arogant maner, tane upone himselff, to the hie contempt of our Soverane, to expres himselff in this maner, that G, meineing thairby Genero, whilk is himselff the said Erle of Montrois, (be the key of explanatioune,) will tak his Majestie by the hand, and lead his Majestie throw all difficulties, and to that effect, to assuire L, D, T, whilk is the King, Duik, and Traquair, (be the said key of explanatioune,) that he wald doe so; whilk was a speitche and purpose mutche tending to the dishonour and disgrace of his Majestie, and is ane overweineing conseat of him selff, being ane privat subject, and ane schamefull undervaluing of the worth and loyallitie of the whole Estaittis, as gif his Majestie war a chyld to be takin be the hand, and that his Majesties haill guidis, subjectis, and estaittis war without him unable and unwilling to lead his Majestie throw any difficulties; whairas it is undoubttitlie trew that the said Erle is of no considerable power, (in respect of the whole bodie of the Estaitt, loyallie affected and devoted to his Majesties service,) and is of most suspectit fidelitie in presumeing, bye the knowledge of the Estaittis, and to thair prejudice, to assuire his Majesties waiknes, and the Erles power; both of them most untrewlie; his Majestie being able, by the blessing of God, and the loyallitie and strenth of his guid subjectis, to rin throw all difficulties without the ayd or helpe of ony arrogant flatterer, or double underhand dealler againes his Majesties honour and the guid of the Estaitt: And swa the said Erle of Montrois haveing stained his Majesties honour and reputatioune by the said scornefull passadges off comparisone dytted or spoken, or caused to be writtin be him, as said is, and arrogant assuirance given be him to his Majestie, of his Majesties waiknes and of the said Erle his pretendit and immaginarie power, exprest in most contemptuous and presumptuous maner, he hes incurred the paines contenit in the saidis Actis maid againes leasing makeris, and sould be punischit thairwith be tinsell of lyff and guidis, att the leist of lyff, conforme to the said last Act: At the leist he aucht to be censurit and punisched *arbitrio judicis per viam extraordinariæ cognitionis;* that is, at the arbitriament of the judge whatsumevir, and namelie of the Supream Court of Parliament, be the way of extraordinarie cognitioun in the delinquentis persone, estaitt, guidis, name and faime, and in all, or ane or mae of the samen; or utherwayes as it sall pleis them to find the said offence to dimerit, conforme to the civile law and justice and equitie, and

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Godis law, and law of natur and nationes, ingravein in the heartis of all trew subjectis, obleissing them to dew reverance, honor, and respect unto thair Soverane, *being Godis vicegerent on earth*, and not to presume to attempt upone or againes our Soveranes honour and reputatioune, *neque obloqui nec maledicere principi nec principem vituperare.*

Item, when any persone, being ane considerable member of the Estait, and imployed in eminent charges be the samen, and making the schaw of upricht exerceising of the saidis charges, in frequenting the meittingis of the Estaittis, and giveing his outward concurse in debaitting and voiceing of publict bussines as thay occure, and eftir determinatioune of publict instructiones condischendit upone to be givin to Commissioneris frome the Estaitt, conteineing articles to be humblie suittit and demandit of, att the Soveranes handis, duiring a publict treattie of pacificatioune betwixt the said Soverane and the subjectis of, does, in token of his approbatioune and consent, subscryve with his hand such instructiounes and missive letters condischendit upone be the Estaitt, and thairfoir sent be them to thair Commissioneris, to be thair warrand of proceiding in thair treattie, and notwithstanding thairof privatlie, and be toward wayes, practeises with the enemie of the Estait, so by them avowed of his knawledge, to mak voyd and rainverse, by the helpe of the said enemy, the self same publict instructiounes and missive letters subscryvit be the Committie of Estaittis, and be himself as one of thair number, for makeing voyd and annulling any lawis or Actis of Parliament maid whairin he himself, being ane member of the said Parliament, and that of ane eminent qualitie, was ane sitter and ane voycer, and whilkis Actis so maid, he himself was obleist, be his subscriptioune of ane generall Band, to maintein,—in swa doeing he committis the heich cryme, molitioun, and machinatioune againes the Cuntrie and the Staittis, and most be so reput as ane laborar and endevoirar to disturbe the treattie of pacificatioune, to the grit confusioun of the Estait and disapoynting of the expected suittis of the treattie: And whair the said persone, subscryvar of the said instructiones and missive letters, had perfyt knawledg that, conforme to the said publict instructioun subscryvit be the said Committie of Estaitt, and himself as ane of thair number, ane particular article or articles thairof being demandit be the said Commissioneris, warrandyted be the said instructiounes, in humble maner, to be grantit be his Majestie, the samen was graciouslie accordit unto be his Majestie, and notified be the Commissioneris to the Committie of Estait, whairof he was ane,—notwithstanding whairof he hes practeised in maner foirsaid and indevoired to mak the samen voyd and null, be practiseing with the enemie of the Estait in maner

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foirsaid,—in justice and ressone the said person aucht to be seveirlie censurit be the Parliament and the Estaittis conveined, makeris of the saidis Actis, againes the whilk he hes in maner foirsaid so unkyndlie and unnaturallie practeised with the publict enemie of the Estaitt; and the said Parliament aucht to vindicat the said wrong done to them, and to the said Estaittis whom thay represent, be thair seveir verdict and animadversioun, as best sall pleis them. And trew it is, that the said Erle of Montrois, being a considerable member of this estait, being ane ancient Erle of this kingdome, and imployit be the Estait in thir trublesum tymes in verie eminent charges, as one of the Committie of Estait for the nobillitie, and ane commander of ane regement of horse, and twa regementes of futt, for defence and saiftie of the Cuntrie, maid fair schaw of upricht exerceising of the said things, and behaveing himself nobillie according to the dignitie of his place of ane Erle, and did ordinarlie frequent the meittingis of the Estait, and gave ane verie spatious outward concurse in debaitting and voyceing of publict bussinesse, as thay did occure, as one of the number of the Committie of Estait, and efter determinatioun of the publict instructiounes condischendit upone be commoun consent, to be givin to the Commissioneris frome the Estait for the treattie of pacificatioun betwixt our Soverane and the Estait, did, in token of his approbatioune and consent, subscryve with his hand the said instructiounes, and condischendit upone be the Estaittis, both be way of injunctiones and be way of missive letters,—and notwithstanding thairof, privatlie and be toward wayes, be clandestin instructiounes given be word or writ to Leivtennent Colonell Walter Stewart, he practeised with the Erle of Traquair, who was ane publict enemie so avowed be the Estaittis, and that of the said Erle of Montrois his speciall knawledge, in maner contenit in the preceiding articles of this indytment,—to mak voyd and rainverse, be the helpe of the said publict enemie, and of the articles of the said publict instructiounes subscryvit be the Committie of Estait, and himself as one of thair number: Towit, that article of the instructiones whairby the Committie of Estait craved humblie that his Majestie micht be pleissed that the comoun incendaries, who have bein the authouris of this combustioun in his Majesties dominiounes, micht resave thair just censur; in swa far as one of the said privat instructiounes given be him to the said Leivetennent Colonell Walter Stewart thair, was ane propositioun drawin upe and givin be the said Leivetennent Colonell to the Erle of Traquair, publict enemie to the Estait, as said is, to have bein presentit by Traquair to his Majestie, beirand that ane act of pacificatioun and oblivioun be past for secuiring of the subjectis from all questiounes heirefter for what had bein done in the last trublis; whairby it appeires many-

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fastlie that he labored and indevoired to mak voyd and annull that article of the instructiounes conteining the punischment and censure of the incendaries; sieing the said propositiounes, drawin out of the Erle his instructiounes, was to have all the subjectis indefinitlie secuired, without exceptioune of the incendaries and punischment craved be the Committie of Estait in thair articles, and be the Erle himself, as one of the Committie, be thair and his subscriptioune, as said is: And siclyk, he hes practeised with the said avowed publict enemie in so doeing, for making voyd and annulling ane law and act of this present Parliament, he being himself ane member thairof, and that of ane emenent qualitie, as said is, and sitter and voycer thairin to the making of the saidis lawis and acts, viz., that law and act intitullat the humble and continewall desyres of his Majesties subjectis conveined in Parliament, be his Majesties authoritie, beirand ane declaratioun that thair was nevir people mor obsiquious than the Estaittis unto his Majestie, when sundrie of thair just desyres sall be grantit; and amonges the rest this one, when thes who had bein wickitt instrumentis to work the Estaittis all this woe, and to devyd betwixt the Kingis Majestie and the Kingdome, sould be sent home and put to tryell according to the lawes;[1] and ane uther act, intitullat ane act ordaineing summoundis to be direct and execuite againes the persones giltie of the crymes contenit in the act againes the comoun Caus, whilk is in effect againes the incendaries; contrair to the whilkis twa actis the said Erle hes practeised clandestinelie, bye the knawledge of the Estaittis, in laboring and indevoiring to have thes incendaries nawayes punisched, againes the declaired desyr and ordour givin be the said Estaittis againes the said incendaries for punischeing of them, contenit in the said twa actis, by craveing to have ane absolut act of oblivioun and pacificatioun for secureing of all the subjectis, indefinitlie and indifferentlie, without exceptioun of incendaries and thair punischment, so hartilie wisched be the Estaittis thair declaired desyre be the ane act, and so formerlie ordanit be the uther act, to be inflicted efter bringing of them to ane tryell be formall and peremptorie citatiounes to that effect; whilk act, with the rest, the said Erle was obleist be the generall band to mantein; and in so doeing contrair to the saidis actis, whilk he was bund to mantein, he hes committit the heich cryme of molitioun and machinatioune againes this Cuntrie and the Estaitt, and must be reput as ane laborer and indevoirer to distrurb the treattie of pacificatioun, to the grit confusioun of the Estaitt and disapointing of

[1] That is to say, that his Majesty should compel all the loyal and well affected statesmen who had fled from the growing anarchy, and sought protection at Court, to return to Scotland, to be tried by a tribunal illegal in its constitution, and devoid of justice and mercy.

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the expectit suittis of the treattie; especiallie sieing the said Erle, subscryvare of the said instructiounes and missive letters, had perfyt knawledge that, conforme to the same subscryvit be the Committie of Estaitt, and be himself as one of the Committie, that particullar article, anent the punischeing of the incendaries, was demandit be the Commissioners in humble maner to be grantit be his Majestie, was be his Majestie graciousalie accordit unto, and the said Erle of Traquair speciallie condischendit as one of the incendaries to be brocht to his tryell and censure, and that the same was notified to the Commissioneris and to the Committie of Estaitt, whilk was in December last; notwithstanding whairof, the said Erle of Montrois practeised in maner foirsaid, and indevoired to mak the samen voyd and null, by laboring him and all uther incendaries to be exeimed frome all tryell and censur be ane generall indifinit act of oblivioun, without exceptioun of incendaries; and thairfoir, in all justice and ressone, the said Erle of Montrois aucht to be seveirlie censurit be the Parliament and Estaittis conveined, makeris of the said actis, againes the whilk he hes in maner foirsaid so unkyndlie and unnaturallie practeised with the publict enemie of Estait; and the said Parliament aucht to vindicat the said wrong done to them and to the Estait, whom they represent, be thair seveir verdick and animadvertioun.

Item, be the 130 Act of the Parliament of King James 6, it is declaired, that the honour and authoritie of the Supream Court of Parliament, continewit past all memorie of man, constitut upone the frie vottis of Estaitis of this ancient Kingdome, be whome the samen, under God, hes evir bein upholdin, rebellious and traiterous subjectes punisched, the guid and faithfull preserved and manteined, and the lawis and actis of Parliament (be whilkis all men ar governed) maid and establisched, and that his Majesties firme will and mind was, that the honour, authoritie, and dignitie thairof sould stand and continew in the awin integritie, without alteratioun or diminutioune, and thairfoir the said act was statut and ordainit, that nane of his leidges and subjectis presum nor tak upone hand to impugne the dignitie and authoritie thairof, or to speik or procuire the innovatioun or diminutioun of the power and authoritie of the same, under the paine of tressone. And trew it is, that the said Erle of Montrois hes presumed and taine upone hand to impugne the dignitie and authoritie of the Supreame Court of Parliament of this Kingdome, and hes soucht to procuire the innovatioun and diminutioun of the power and authoritie of the samen, in swa far as in the propositiounes drawin be the Leivtennent Colonell Walter Stewart out of the instructiounes receaved be him from the Erle of Montrois, and delyverit be the said Leivtennent Colonell Walter Stewart to the Erle of Traquair

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at Londone, to have bein presentit to the Kingis Majestie, whairupon the said Leivtennent Colonell also reportit to Scotland (as he alledges) his Majesties answeris, thair is one article of the propositiounes conceaved in thir termes:—'That his faithfull and loyall subjectis will suffer no innovatioune in lawis or utherwayes to be introducett;' whilk is ane cleir impugneing of the power of the Parliament, leiding to the abrogating of thair libertie and authoritie to mak innovatioune be new lawis; albeit the said Supream Court of Parliament, as the citit act beires, hes power to mak lawis, ather by repallering of former lawis, upone occureing of inconvenientis throw the standing or abuise of the samen, or by changeing or altering of lawis be additiones, explanationes, restrictiones, exceptiones, provisiounes, or utherwayes; or making of new lawis, according to the exegent tyme and affaires, ather upone necessitie or expedience, or prescryveing reullis for new caices or causses not determeined of befoir. So that it was ane tressonable presumptioun to have preffered any sick propositioun in the name of faithfull and loyall subjectis, not to suffer any innovatioun in lawis or utherwayes to be introducett; sieing [none] of his Majesties faithfull subjectis maid the said offer; bot, be the contrair, the saidis persones who presumes to mak any sick offer, or to seik or procuire any sik thing, ar declaired to be unfaithfull and disloyall subjectis, and subject to the paine of tressone. And albeit the said Erle, in his said propositioun, and alse whair throw the whole course of his practeis, plottis, and indirect and clandestein negotiatioun with the said Erle of Traquair, or in any pairt thairof, hes sett doun and insert sparslie heir and thair declarationes or conditiones, or expres articles, that all that he creaved was with provisioun of secuireing of R and L, that is, Religioun and Libertie (as the said kie of explanatioun beires); and that amonges the rest of the propositiones thair is one beiring expreslie that Religioun be secuired by confirmeing of the actis of the last Generall Assemblie haldin at Edinburgh, namelie, the act of rescissioune, and everie thing necessar thairanent, whilk may assuire his Majesties subjectis that thair sall be na mair innovatioun in Religioun in any time heirefter; yet all theis declaratiounes or conditiones anent the secuireing of Religioun and Libertie, and confirmeing of the actis of Assemblie and the act of recissioun, appeiris manifastlie to have bein nothing else bot aspertiones, fair and false pretext and pretence, to cloak and palliat the former indirect and unlawfull practeises againes the Estait, and to deluid the simpler soirt of the peopill, and mak them beleive that whair Religioun and Libertie was to be secuired, the craveris thairof, and namelie he himself, could have nawayes ane sinistrous

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and contrair end or intentioun againes the Religioun and Liberties;[1] whairas, notwithstanding, the said Erle hes most irreligiouslie, and contrair to the publict Covenant for maintenance [of] the religioun, contraveined his aith and subscriptioune thairin conteined, and the [other] aithes and subscriptiones, and committit the crymes contenit in this article, and in the articles of indyttment, againes his conscience and religion, and his honour, and against God, and the King and Estait, in maner particullarlie set doune in this and the remanent articles foirsaid: Besydes that, in the same propositions above rehearsit, he manyfastis his close and indirect deilling, in swa far as, eftir that article anent the confirmatioune of the actis of Assemblie and act of rescisioun, thair is ane article of propositioun subjoyned, beiring that the subjectis be governed in all tyme heireftir conforme to the lawis of the Kingdome formerlie establischit, and na utherwayes; whilk being indifferentlie set downe, and without reservatioune or exceptioune of the actis reschindit in the said act of rescisioune, may import, and cannot utherwayes be presuimed bot to have bein the Erle his mynd to import and infer, that the subjectis sould be governed conforme to the lawis formerlie established, albeit thay war sick actis as hes bein reschindit be the act of rescissioun; towit, sik as conteined Episcopacie, Poperie, churche government unlawfullie establischit of befoir, and siclyk. Notwithstanding of his pretending that all his dealling was with conditioun of secuiring the Liberties, yet it is mair nor manyfast, be the crymes conteined in this article of indyttment (whairby he hes laboured to conceill and destroy the power and authoritie of the Parliament), that he had nevir ane suche meining or intentioun as to have the Libertie of the Kingdomes preserved; bot that he pretendit cautouslie the schow of patrocinie of the Liberties of the land, whilk he was in effect reallie undermynding, onlie to derne the simpler soirt with the glois of that untrew pretext. And thairfoir the said Erle of Montrois hes incurred the paine of tressone contenit in the said act; at the leist he aucht to be hielie and seveirlie censured and punisched, *arbitrio judicis per viam extraordinariæ cognitionis;* that is, at the discreatioun of the Supream Court of Parliament, whais authoritie he hes presumed in maner foirsaid to impugne and diminische.

Item, be the commoun law, and be all justice and ressone, when the judge proceidis, *ex officio*, to inquyre in ony malefite, againes ane justlie suspect delin-

[1] It was against this very delusion of the 'simpler sort,' under the false banner of Religion and Liberty, that Montrose now set himself in opposition.

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quent, and the pairtie being sistit in judgment befoir the judge, is interrogat upon questiounes, and vertaled [cross-questioned?] in substance or circumstances concerneing the delict, and his guiltines thairof, and refuisses altogidder to answer to the judge thair demandis, or answeris obscuirlie, he in doeing thairof velifies and contemnes the authoritie of the Judge, and, in not answering, is presumed to be giltie of the malefite, decernitour, or cryme whairupone the judge was inquyreing againes him; and in answering obscuirlie, is halden and reput in law to have not answerit att all; and thairfoir aucht to be estemit giltie of the crymes laid to his chairge, and haldin as confest and convict; att the leist as confest, and aucht to be convictit thairfoir; especiallie whar the judge hes many pregnant presumptiones of the giltieness of the pairtie inquyrit, be vehement indices and dispositiones of his awin, and of uther persones, judiceallie taken; whilk, togidder with the said contumacie, makis a plaine probatioune of the fact, and of his giltines thairof, and the delinquint, in that caice, aught to be punisched with the paines dew to the said crymes, att the leist aucht to be hielie censureit of the judge. And trew it is, that the Committie of Estattis did proceid, *ex officio*, to inquyre againes the Erle of Montrois, justlie suspect to have bein ane delinqent in the malefice and crymes contenit in the preceiding articles, and he being sistit in judgment befoir them, or such of thair number as was appointit be them to interrogat him, viz., my Lord Balmerinoche, the Laird of Wadderburne, Sir Thomas Hope, and Edward Edgar, within the Castell of Edinburgh, whair he was comittit and sequestrat be the Committie of Estait upone the vehement indices, presumptiones, and depositiones efter mentionatt, his Lordship was interrogatt upone questiounes and articles in substance and circumstances concerneing the foirsaid crymes, and his giltines thairof contenit in the not of interrogattoris producett heirwith, and uset as ane pairt of this article; whairupone he refuissed all togidder to answer, as appeires by the minittis and recordis extant in proces; and namelie be the answer that the Erle returned with my Lord Sutherland upone the twentie twa day of Junij 1641; whilk Erle of Sutherland was direct be the Committie to attend the said Erle of Montrois from the Castle in coatche to the Committie; and warrand haveing bein givin to the Constable of the Castle to bring doun the said Erle of Montrois, who, insteid of obedience and comeing doun to the Committie, returned such ane generall and obscuired answer to the Committie as was nawayes satifactorie nor agriable with the respect dew to that Comittie, in plaine dirisione of the said judicatorie.[1]

[1] See *supra*, pp. 288, 289.

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Lykas, upone the morne thaireftir, the 23 of Junij 1641, the said Erle being broucht befoir the Committie, he adheared to the foirsaid answer, whilk he called his paper, and contemptablie put the Committie aff with generallis, and wald not condischend to say expresslie yea or not to the interrogattoris; whairupone the Comittie declaired that thay wald tak his answer for ane denyall and refuissall to answer; whilk being intimat to his Lordship, and one of the interrogattoris askit at him, he continewit still in his former refuissall; so that the Committie, efter asking of oppiniones of the noblemen and considerable gentlemen, and utheris present, thay all fand that the Erle was thairby disobedient and contumatious to the Committie in refuissing to answer to thair interrogattoris; which thay desyrit the President for the tyme againe to intimat to the Erle, that he micht be pleased to recall his former refuissall, and obey the Committie, sieing he was so obliedged by aith, subscriptioune, and Act of Parliament; which being intimat, the Erle still continewit in his former refuissall, as the record in proces maid thairupone, subscryvit be the President *in presentia Dominorum*, beires, beiring dait the 23 Junij 1641: And thairfoir the said Erle hes, in a most disdainfull maner, vilefied and contemned the authoritie of the Judge; and in refuising to answer the President, [sould be haldin] to be giltie of the crymes laid to his chairge in the preceiding articles whairupone the Judge was requyreing againest him; and in answering obscuirlie, sould be haldin and reput in law to have not answerit att all; and thairfoir aucht to be haldin as confest and convict; att the leist aucht to be haldin as confest, and now aucht to be convictit thairfor; especiallie sieing the Committie had many pregnant presumptiones of the Erle his giltines, be vehement indices and depositiones, pairtlie emittit be the Erle himself, and pairtlie be uther persones; towit, Mr Robert Murray, Provest of Methven; Mr Johne Robertsone, Minister at Perth; Leuvtennent Colonell Walter Stewart; the Lord Naper; the Lairdis of Keir and Blakhall; and Mr Johne Stewart; as thair severall depositiones beires. Whilk vehement indyces and depositiones, and continued course, and persisting in practeiseing, geminatting, and reitterating, efter the foirsaid crymes abovementionat, does manyfast his wyld resolute mynd and evill purpose, and does eik unto his just deserveing of the paines and punischment of the foirsaid crymes to be inflicted upone him in maner foirsaid; and whilk, togidder with the said Erle his contumacie and obstinat refuissall to answer the Committie, makis upe ane plaine probatioune of the foirsaid crymes and his giltines thairof; and thairfoir the Erle aucht to be punischit with the paines dew to the said crymes; at the leist aucht to be heichlie censured and punischit at the arbitriment of the Parliament; and in doeing and comitting whairof the said

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James Erle of Montrois hes contraveined the said lawis and Actis of Parliament; and hes comittit the hynnous crymes and offences above specifeit; and thairby hes incurred the paines and punischment particullarlie above specifeit; or utherwayes aucht to be heichlie and seveirlie censured and punischit at the arbitriment of the Parliament, in his persone, estait, guidis, name, faime, or utherwayes att thair discretioun; with certificatioune, gif he compeir not, he sall be decernit to have incured thes paines generallie and speciallie above exprest, according to justice: And that ye delyver thes presentis, dewlie executte and indorsit, to the beirar, as ye will answer to us, and the Estattis of our Parliament thairupone; the whilk to doe we commit to you, conjunctlie and severallie, our full power be thir our letters, gevin under our Signett, att Edinburgh the 24 of Julij 1641.[1]

[1] Contemporary MS. copy of the libel, in the Montrose charter-chest. This virulent and nonsensical farrago was got up by Archibald Johnston of Warriston, under the auspices of his patron Argyle. The affectation of loyalty, and the ridiculous attempt to fasten upon Montrose the imputation of having *maligned* his Sovereign, could not for a moment impose upon the King. Montrose's crime was his correspondence with his Sovereign, and his attempts to make a stand against the democratic movement, of a few interested but able and powerful factionists, in favour of the royal prerogative. Moreover, that part of the libel was founded upon an entire falsehood, namely, the mystical trash invented by Walter Stewart, and which, under the influence of extreme terror, he swore was given to him by Montrose and his friends. It is amusing to find paraded, *for the nonce*, in the libel of this ultra-presbyterian party, a sentiment which rather belongs to the doctrine of the divine right of Kings, viz.—'God's law, and the law of Nature and Nations, engraven in the hearts of all true subjects, obliging them to true reverence, honour, and respect unto their Sovereign, *being God's Vicegerent upon Earth*,' &c. This to Montrose, from the faction of Argyle, who brought upon their Country the notorious and indelible stigma of having betrayed the King into the hands of his murderers, and accepted the price of his blood.

The libels against Montrose's companions have not been discovered, with the exception of a small fragment of that against Lord Napier. Like the above, it is baseless in substance, and virulent in spirit, notwithstanding the Covenanting Committee's acquittal of that nobleman, and their urgency to induce him to separate from Montrose. The copy of the libel against Montrose is composed of a roll of seventeen folio sheets, pasted together, and very closely written. The indignation and contempt which the forced charges excited in the mind of Montrose, and his worthy associates, will be seen from their answers, and subsequent protest against the whole of these nimious proceedings.

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II.

ANSWERS OF MONTROSE AND HIS FRIENDS TO THE LIBELS AGAINST THEM IN 1641.

Answers *in facto* given in by the Earle of Montros, Lord Neapir, Lairds of Keir and Blackhall, to our severall dittays *respectivè*, in so farr as the samen ar coincident, and the particulars lybelit concernis us all.[1]

My Lordis of the Committee, Gentilmen, and Burghs, be pleasit to be informit:—That we the Earle of Montros, Lord Neaper, Sir George Stirling of Keir, knyght, and Sir Archibald Stewart of Blackhall, knycht, having the occasion to meit and oftin deplore the hard esteat the Cuntrie was in, Laws silenced, the course of Justice obstructed, Nobilmen and Gentilmen put to excesive chairges, and withdrawin from thair privat effairs, the course of traffick interrupted, to the ondoing of honest mairchants and tredsmen, and creditors payit with falzies and suspensions; and, besydes these present evils, fearing worse to ensewe; as, anarchie and confusion; oppression of the weakir be the stronger neighbours; the tyrranie of subjects,—the most feirce and insattiabel tyrranie of the world,—factions and divisions, with an opportunitie to our enemis abrod, and to ill affected subjectis at home, to trubel the Esteat; and all these eivels which follow when the royall power is brangled (as sensualie it is [by these] publick commotions), and disabled to punish oppressours, or to rectfie enormetis. These sensibel eivels begott in us thoughts of remedie: Wherof the best in our opinion was, that his Majestie wald be pleasit to cum doun hither in person, and satisfie his people in poynts of Religion, and just Liberties, wherby he should settel his own authoretie, and cure the distempers and distractions amongest his subjects For, we are assured ourselves, that, the King giving God his due and the people theirs, it wald never be denyed to Cesar that whilk was his. Whilst these thoughts and

[1] The first part of these Answers, from the contemporary copy in the Montrose charter-chest, is very nearly the same as that which forms No. XVIII. of this Part, and which is from the MS. in the Napier charter-chest, autograph of Lord Napier, and obviously composed by him. The above is partly by Napier, and partly by Montrose, but not in their autograph.

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discourses were intertained amongest us, Liuetenant Collonel Walter Steuart cam to the toune, in his way to Court about his owen effairs; wharupon it was thought expedient to imploy him to deal with the Duk of Lenox, to persuad his Majesties jurney to Scotland for the effect forsaid. This, *upon our conscience and honor*, was the Liuetenant his imployment, and nothing els; altho ther war other discourses to that purpose upon the way, viz.: That it were gud that his Majestie wald keip up the Offices vakand, till he had settled the effairs heir; and, to the difficultie of the armeis laying in his Majesties way (proponit by the way be the Liuetenant), it was answerit, that if his Majestie could not aggrie with our Commissioners, he wald not cum at all; but if he did aggrie, that the armie wald be his Majesties armie, and that they wald lay doun their armes, and them selves, at his Majesties feit.

This being the trew relation in fact, anent these particulars which concernes us all, we ar confident that it will appeir, albeit we should mak no uther answers, how calumnious and injurious our lybel is; and how at random reprotchfull and wyld words [have been] accumulat aganis us, without respect to our qualetie and emenencie; whilk proveth nothing againest us, but reflecteth againest the lybeler; seing it is evident that we never intertainet aney divisive motions, but joyned with the Publick in every publick busines; and what we did in privat was that veray same was done in publick; and not in prejudice of the Publick, but to the benefite therof; that it was not unlawfull, but warrendit be the lawes of God and Nature, from which no human constitution can derogat; that the publick honor done to us, to be of the Committeis, was *cumulative*, and not *privative* of our privat duetie; that we have not contraveined any oath, and therfor not perjured; but having sworne to use all our lawfull meins for the publick gud; if we had neglected that, we had rather then have bein perjured; that our advice, to keep up the Offices of Esteat, was not in prejudice of the Parliaments advyse in the election; but, be the contrair, their advise had bein prevented if his Majestie had disposed on them befoir; that we could not both advise his Majestie to keep them for our selves, and to corrup uthers too;[1] neither of which is trew; and if any act of oblivion was mentioned, it could be non other but the samen as it was conceived

[1] That false accusation also detects itself in this way: Walter Stewart first declared that A, B, C, meant 'the Banders;' see *supra*, p. 280. This did not suit the faction, as the accusation touched *too many*. Stewart was then brought to swear that these letters were intended *by Montrose* to designate himself, Napier, and Keir. But this falsehood had overlooked the fact, that *Blackhall* was precisely in *pari casu* with those three; so there should have been *four* letters.

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by the Committee; utherways the tenor had bein altered, and the exceptions of incendiaris expunged; that we had no intelligence with aney enemis of the State; that the Liuetenants *characters*, and *chiroglifeks*, were never invented, knowen, nor dyted be us, though printed,[1] and falsely sudgestit to be ours; that we did not speak disdainfulie or reprotchfulie of our King; that it had bein an senseless act of perjurie, our selves to convein with the enemis of the Esteat (as is aledgit) for our endis, and then so heighlie injure the King, which might overthrow our endis; both which can not be trew, and neither is; that the imputations of the 4 artikel ar tautolegeis, with the noyse of words to drown the sound of reason; that *innovation* is ever taken in the worst sense, tending to the prejudice of the publick peace and happiness; that the making of the new laws, or correcting of the ould, wer never called *innovation*, in aney languag but that of malicé; that is impotencie and not power; and therfor they wronge the Parliment that will intitle them to a power of *innovation* who ar the preservers of the Estatis and Liberties therof; and, to conclude, it shall clearlie and manifastlie appeir to all the world, that Dagon can not stand befor the Ark, nor falset befor treuth.

Answers *in facto* be the Earle Montrose anent these particulars in his dittay, wherewith he is chairged alone, without the accession of the Lord Neapir, Laird of Keir, and Blackhall.

Thus far I have gone alonge with these gentilmen, whose ways and actions I have ever knowen to be so fair, that the foul colours cast upon them in thair lybel shall never mak me regrait my accession to them, either in active or passive way.[2] But now, since the lybellir that hath left them is not yit weiried in lybeling againest me, I shall conteinue a litell *in facto* concerning my self.

[1] This seems to be an allusion to a printed pamphlet, now very rare, a copy of which is in the Editor's possession, entitled, 'Certaine Instructions given by the L. Montrose, L. Nappier, Laerd of Keer, and Blackhall; with a true report of the Committee for this *new treason*, that they had a *three-fold design*. London, printed in the year 1641.' This had been transcribed from Walter Stewart's notes of mystical terms, and pretended instructions (which are introduced into the libel), and the transcript sent to London, to be turned into a most dishonest pamphlet of agitation, pending the treaty there. It is very hurriedly and inaccurately printed.

[2] There can be no doubt that this was a just compliment paid by Montrose to his three associates, who were most honourable and upright men. It was monstrous in the Argyle govern-

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REPLYES UNTO THE LYBELL IN WHAT DOES TOUCH IN FACT.[1]

THE reall treuth of this first alledged lie, touching perjury aganis the Covenant, or coming contrary to that oath, is a very answerable suich of the following wobe, and alyk as all the rest fals and infamous: For, as to what is avered concerning practicking aganis my oath as one of the Committe of Estaitis, [it] is palpable alyke and blak as the former; for wheras it is inferred that I have come contrary therto, by interteining such discourses with Mr Robert Murray proveist of Meffen, and Mr John Robertsone minister at Perth, wherin I did profess the Publick so much concerned, yet did keip them up frome the Publick, and only, as it sould appeare, vented them for privat endis, [it] is alltogither fals: For what purpose I did speak with them was only of two partis: First, touching just jeallousies, and grounded presumptionis of ane Dictatory, and incantoning of the Kingdome, with all such lyke, by which the Countrye was to be enslaved and reduiced to all thralldome; as I sall be able to justifie by famous authoris, witness, and writen commissione, bothe the one and the other: Next, that of Mr John Stewart his declaratione. As to the former, they being intended before thair war any satled Goverment, or Comittee appoynted by Parlement for that end, it sould have bein to no purpose to have declaired it to the Publick; becaus thair war no publick nor legall Government, nor law, to asstrict at that tyme: Then to have declaired it after thair war ane estaiblised order, sould have bein to als small behove, since only lawes *futuris dant formam negotiis, non ad facta preterita rediguntur:* So what I said in that kynde was only spoke aganiss the inderect practicking of some privat personis, to the end that people, upone fair and spetious pretextis, micht not, to the prejudice of the Publick, be mistaikin and abused. Ane other reasone for expressing these purposes was, in respect of ane Band, wherein I and other noblemen war joyned for opposing the inderect courses of some privat personis; which those Ministeris taxed; and falling togither with me in disput upone, amongst a great many other argumentis, and reasonis, for the conceiveing of that Band, one I gave,—That it was more now nor hie tyme to us, and all honest men who respected the Libertie of the Countrye, and this Caus, to joyne themselves togither

ment, to take for evidence the contradictory and extorted depositions of Walter Stewart, against the depositions of such men, separately examined, and all concurring, along with Montrose, Traquair, and the King himself, to prove the falsehood of Stewart.

[1] The line in capitals is autograph of Montrose in the MS.

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to oppose those wayes of tiranny, which in effect did tend to nothing less then the ruine of Countrye, Libertie, personall fredome, yea, in a word, all publick bothe and privat respectis; chiefly since what we did in it was not only not aganiss the Covenant, bot for it; and not only we reserved nott our duetye to the Covenant, bot did confirme and renew the same in all greatest sinceretie. And as for the pairt of those discourses, which I did intertein to the pairtyes foirsaid, touching those particullaris which Mr John Stewart did declair unto me: First, I did in no way keip them up frome the Publick; in respect I could not have declaired them upone such termes; nether was it to be expected frome me: For, what I did heare of the said Mr John, I had it of him self *only;* which I did conceive too mein a ground to have lett them flow frome me to the eares of the Publick; bothe inrespect of the reverence and gravitie of those Judicatoryes, the inferior estait of the persone I had them frome, the conditione of the pairtie taxed, and lykwayes my owne qualletie. Bot if, after prying, I had rancountered any reall groundis and evidences to build upone, I wold then straight way have acquented the Publick therwith; which, first imprisonment, then the cutting off the pairtie informer[1] did disapoynt: So for what I expressed to those Ministeris [it] was only in a privat way of regrait, touching the behaviouris of some, who, becaus I went about to oppose, frome just feilling of publick libertie and personall fredome, was only so be the Countrye mistaiken: And withall, what I spoke was meined unto grave and secreit men, and as if it had bein *sub sigillo confessionis*, and not to recriminat, nor give bad impressione of any pairty, bot to show what we have done in the mater of that Band; and all thingis els was frome conscience, and be necessetie; and what I spoke to them in any kynde was only *againe the practiking of some few men*, without relatione to aither State or Publick, except in so far as they war by them abuised. And as for that artickle of my discourse unto these personis foresaid (whose declairatione concerning my self I was denyed the libertie to heare, and, altho thair present, contrary to all law and justice foreed to remove), concerning my Lord Lainrick his letter, it is most manifest and true: For, a lytle after our Armie come to Newcastle, he wroat unto us at the Kings command, and, as he professed, in his Majesties name, desyreing to know our demandis, and showing that the King was most willing to satisfie all our just desyres; to which we replyed. under all our handis, that our most humble desyris war only such as war conteined in the Actis of the last Sessione of Parlement, which being granted, we did pro-

[1] John Stewart, younger of Ladywell; see *supra*, p. 301.

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test, upone all our duetyes, we had no more to ask: Yet notwithstanding of all this, thair war farther instructionis after framed, cairying our desyris touching Counselleris, Sessioneris, Officeris of Stait, to be choysin and elected by voyce and consent of Parlement; as also the Prince not to be maryed nor disposed upone without the approbatione of the saidis Estaitis; togither with a great many such lyke, as my memorie is not able to retein: And thir I did not say war prest or no peace, bot that I wisht they sould be so desyred as they did not mar it; for altho thair war no good patriot nor honest man bot wold heartely wish that those things micht be obteined, as good expediences and convenient for the better government of the Publick, and the Subjectis fredome, yet I wold not wish them so stuck upone as necessarie dependences of peace and war; bot if otherwayes they could be obteined, we war happie.

And as for that privat and clandestene way we ar alledged to have taikin with Captane Walter Stewart, it is all togither fals, bothe for mater and forme. First; all we delyvered in commissione to him only was, that, seing we war informed he intended to repaire towardis Londone for his owne privat affairis (which as he him selff gave odt was ane particullar of one Robert Barr, a brother-in-law of his owne, with the Levetenent of Ireland), we war to tak occasione to desyre him to represent all our best respectis to the Duke of Lenox, and with all to show him frome us, that,—seing the most ready and only mein to satle and accommodet all the bypast sturis and deficulltyes, wherewith this poore Kingdome hes bein rokit and tossen, only was his Majesties owne presence heir amongss his people, that he himself in persone countenanceing his good subjectis just desyris, micht regaine all thair heartis and affectionis united to him, and that he lykwayes micht have them in a favourable esteim,—we did not doubt bot his respectis to the weill of this poore Countrye, wherein he had so great interest, his duety to the King, and regaird to himself, wold be such forceable inducementis to make him interpose for so good purpose, as all who wisht ane blessed peace and happie quyet to this poore Church and Kingdome, wold be confident of his Lordships endeavouris to so good purpose, and wherein he was so much called. So, what commissione we gave was only this and no other; which in effect can be said [to be] nothing els bot the expressionis of one privat friend to another; which, altho [it] was for so good endis as nothing els bot service to the Publick, yet done in such a way that, in no kynde, to practiking can it be wreasted. As for the reasons why it was done at all, they war sindrie; for first, it was ordinally noysed amongss the commounis, and all the countrye over, that it war not to be wisht the King sould at this tyme (say they)

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find him self heir; for that war for no other [end] bot to make rent and devisione in the Publick, and gaine him self syderis to ranverss what formerlie had bein done: Which was so redicullous as did justly confirme us in a contrary way and judgment, and obledg, as it war, to use all lawfull meinis in the behalf of it. Besydis, it is more nor perfytlie knowen, that some privat personis, contrary to the good of the Publick and thair own professione, have by all meinis endiavoured the Kings stay; for all which respectis we thought ourselves obledged to endiavoure it [his presence] in so just and lawfull a way.

And as for the *characteris* and *hirogleifiks* falslie alledged to have bein givein be us to Levetenent Collonell Stewart, to be offered to Traquair, it is ane manifast baiss callumny; *for naither had he those cyferis of us, nor war we accessorie to them aither by word or write.* And as for those or any other commissione frome us to Traquair, it is fals as the former; for never war thair any such in any kynd. As for one thing which was discoursed concerning the Offices of Estait, the Levetenent him self did questione, if, in ceace some who war not great affecteris naither of King nor Publick sould be preferred to the prejudice of bothe, it war not fitting to signefie some thing of that sort to the Duke, to the end it micht be adverted unto; it was answered, to be alltogither unnecessarie, for it was not to be thocht that the King wold dispose on particullaris untill he first satled the generall peace, and that the Parlement did conclude. Bot altho this were (as it is nothing els bot imposture), what doeth [it] import?

And as for that other gross lie touching slownes in bringing alongss my Regementis, it is yit more palpable nor all the rest; they being als sune as many, and before a great pairt. Besydis, it did not hould at me they war not first of all: For, being appoynted to cairy out two regementis, one of Perthschyre, the other of Anguss, the Generall did desyre me to dispence with a pairt of those in Anguss to the Lord Carnegy; which I willinglie did, in respect thair wold have bein a compitent number besydis resting; the most pairt whereof, belonging to the Earll of Kingorne and that of his divisioune, was moved, contrary to the act of the schyme bothe and the Generallis orderis in my favour, to pairt his people also from joyning with me; by which wayes I did inlaike to the number of nyne hunder men; so that they which rested war so inconsiderable as they war almost in termes of nothing; and those of my other regement of Perth lying contigue with that which was in effect broke, I was in doubt whither the Generall wold cast them togither, and maid bot one of bothe, or strenthened the other, and keipe them still apairt; so, being togither within one and the same plott of countrye, I did studie to have them

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march at one tyme, aither togither or in severall bodyes, since I was not able to command them both severaly and the same tyme. With this thair rancountered ane other impedement, occasioned by Argyll his expeditione with his Hielanders thorow those schyres, which did so affright and terrefie the people ther, who feared [for] their homes, as they war most unwilling to suffer the regiments to remove, until they had scaped that occasion.[1] Lykas, the Committie of Perth directit a letter to the Committee of Estait, desiring that these regements might be kept in the cuntrie until the Hielanders wer past. Notwithstanding of all which letters, not occasioned by me, those regementis war ane monthe or fyve weikis upone the feildis before Tweid was crossed be the Armie; *and I was, of all, my self the first that putt my futt in the watter, and led over ane regement in the view of all the Armie.*[2] And for what is alledged touching the Armie, it is still yit of the same graine; for whill we war desyreing the said Levetenent Collonell to delyver from us the foresaid commissione unto the Duke, he did him self move this doubt unto us, that hardlie wold the King relish his journay hither, our Armie being still on futt. We replyed, such doubts war alltogither frivolous; for aither the King and we wold agree, or not condescend: If we did not accommodet, ther war no termis for our purpose; if we sould appoynt, then it war all alyke for the King where our Armie was, or what number; for in that case it was no more ours, bot the Kingis; and we and it and every thing els at his devotione, and for him. Naither, in our judgmentis, wold it be fund fitt by the Publick, to keip the wholle

[1] This is confirmed by Baillie's amusing account of Argyle's campaigns. Upon the occasion of the Covenanters' first expedition to Berwick, the Dictator did not accompany them; but, says Baillie, 'Argyle was sent for to the treaty of peace, for *without him* none would mind *to treat;* he came and set up his tent in the hill, but few of his people with him.' His peculiar province, however, was 'to lie about Stirling, in the heart of the country, to be always ready in subsidies for unexpected accidents, to be a *terror to our neutralists* [*i. e.* all peaceably inclined and well disposed persons], or but *masked friends* [*i. e.* all conservative Covenanters], to *make all* without din *march forward*, lest his *uncanny trewsmen* should light on to call them up in the rear; it was thought the country of England was more afraid of the *barbarity of his Highlanders*, than of any other terror: those of the English that came to visit our camp did gaze much with admiration upon these supple fellows, with their plaids, targes, and dorlachs.' On the second expedition, after all the fighting is over, and the Covenanters in such exultation that, says Baillie, 'we shall get for *ourselves* fair enough conditions; but it will be to our great regret if we get not *all the King's dominions to our happiness*' (*i. e.* the Presbyterian model!); then, he adds,—'Argyle, with a brave band of gentlemen volunteers on horse are *making in*.'—*Letters and Journals.*

[2] Baillie, and other contemporary chroniclers, record this fact; but it is interesting to have it from Montrose himself.

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Armie togither, if any finall agrement sould be; for in that case it war nothing bot ane vast chairg to the Publick. Naither did we think, if maiteris were satled, the wholle Armie sould be keip up; for that could tend to nothing els bot consume the monyes we sould have frome the Inglish for defraying our publick chairges, and rander us unable for the Publick, both at home and abroad; and in our oppinione the most that sould be thocht to be keipt, micht perhapis be some four or fyve regementis, or such lyke, to repress any suddentie that micht occur, and prevein what by enimies micht be intended, in the incertentie of the tymes. As for intelligence falslie alledged with Sir Richart Grahame, it is nothing els bot ane spark of the same fyre. I did never wryte any letter to him bot in tyme aither of absolut peace, or treatie and cessatione. For those in peaceable tymes, they can answer for themselves. As to the others, duiring treatie and cessatione, they did never exceid one, which was derect from Newcastle, many besidis haveing bein sent frome otheris bothe before then and after, which letter also was showed to those of the Committee, according to thair owne act maid at the same tyme, as I am able to testifie. For that other, anent removeing of noblemen, gentlemen, and otheris, frome the Committees, and that I my self, haveing bein the occasione thereof, did instigat the otheris to recent it,—I can say no farther bot that it is ane senseles lie. As for what may concerne touching the generall Band, or any thing of that kynde, all that is to be said is,—that they ar ane mass of abbortive untreuthes. And as touching my intellegence with the Lord Ogillbe, it is (with all the former suitable) fals; for whatever I did in that kynde was be the desyre, and treatie, and orderis of the wholle schyre; which I allready instructed before the Generall him self, in hearing of the Committee, being accuised upon Artickles derect be Argylle (who was at that same tyme lying about Airlie), with young Laweris and Archbald Cambell; and I have ane standing act of Committee in my owne behalf and exoneratione, in all those particullaris. And when it is alledged that I had intelligence, and did corresponde with Traquair and Ogillbe, the Incendiaries and Enemies of the Estait, it is alltogither fals; for *derectlie naither nor inderectlie*, had I ever intellegence with them, nor any els who war or can be esteimed in thair conditione. As touching ligs or bands, or any thing of that kynde, with the Duke, it is fabelous with the former. As to the giveing of twentie pieces to Levetenent Collonell Stewart, that is ridicullous as the rest; for all doeth depend upone the lawfullness and unlawfullnes of his commissione, and not, money or no money: Yit this in the self salbe nothing bot to squeise ane emptie bledder; for the Levetenent Collonell, pretending his owne occasionis, was not to stay him

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thair; naither wold he have monyes for it; and it micht be perhapis that the Dukis answer to us sould requyer his abode; thairfore desyred some little acknowledgment upon all hazards; to the end he micht not happelie be forced to disapoynt our Commissione; which I gave orderis he micht have, as I have bestowed ten thousand pieces more in the Publickis service, without ever any acknowledgment except this illaudable ingratitude.

And as for those discourses which ar said to have been interteined, twixt Chester and Newcastle, with me and Collonell Cochrane,—they ar nothing els bot what I spoke formerlie to those Ministeris; and frome the same secrecie and trust, as he him self can declair. And whereas the drift of all those infamous callumnyes do only tend to sitt downe upone the way and informaletie of the course, since they ar not able to sitt downe upone error in the mater, it may be too weill answered, that every man is bund by the law of God, Nature, and Nationes, to do his possible to mentein and serve his Religione and just Libertie, bothe in a publick way and privat; the one without prejudice of the other. For no municipall law, act of Parliament, or publick chairge, can derogat any thing frome that of Godis, or restrict it. For what power was givein to the Committee was *cumullative*, and not *privative*; naither do it bar any subject, of whatsoever qualletie, to do what service for thare countrye they ar able. The Commissione, givein be the Estaits to the Comittee, cairyes power to serve the Country in a publick way, but doeth not prohibet them in a privat; for that war ane prohibitione that God doeth not allow; which war absurd, and even as to say, becaus we ar commanded to serve God in the Church, therefore we sould not pray in our chalmer. And farther, if we had used a privat way, and refused to do it in a publick, we had bein to blame. Then als much in reasone sould we, if we had only used a publick way, and refuised to do the good we micht have done in a privat. For put the case any of us could have had the occasione to have bein at Londone; could it have bein a fault if *we* had bein able to perswad the King to come hither, altho thair war ane Committee heir, and ane other at Newcastle, and Commissioners at Londone? Suire no. Then how can it be ane error, being absent, to do the same by the mediatione of ane nobleman who had so much interest in the Countrye, and was him self without all exceptions? And in that we did it without the Committies knowledg, we war not ignorant that in all our busines they did never mak use of the Duke of Lenox; and it is lyklie they wold not have also in this; naither, as appeareth, wold he have acceptit, being ever formerlie neglected. So we behoovit

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to do it without thair knowledg, or leive ane service undone that was the only most reddy mein to satle bothe Church and Kingdome.

Then if it sould be said it is a devisive motione,—it may be answered, it is nothing less; except that they will say *we* did desyre the King, and not *they*.[1] Then, that we had to do with ane incendiarie, Traquair, it may be very weill said that he is not yit so declaired; naither is thair any thing done to put subjectis in *mala fide* to deall with him in lawfull purposes; nor is he aither ane excommunicat persone (which yit does not brek the bands of Nature), naither in effect is he, or at least sould be, in any other termis nor myself, whome the Parliament allowes such to treat with as pleases. Bot so it is, we had no medling, inderectly nor derectly, bot only with the Duke of Lenox. Then, if thair war nothing els bot one only, to prove the baisnes and villany of all this lybell, and that thair ar nothing els in it bot abbortive lies, begot be ould malice, this may more nor make it appeare, that whereas thir two or three yeares ago they have still had this infamous deseigne,—as I am able to make recorde by Noblemen, Gentrie, and otheris mongst the most famous of all this Kingdome,—and that all men may be convinced to thinke that lybell nothing bot a rapsodie of forethought villanie,—it was boldlie promeised, ere any of thir particullaris did fall out or occur, which they make now the pretence of this imprisonment,—*that my sword sould be taiktin frome my syde before two months passed*.[2] So what hes bein the intentione, straine, and cairyag, of all thir fals and forged callumnyes, may easly appeare. Yet, *Causa jubet Superos*.

HOC PRETIUM VITÆ VIGILATORUMQUE LABORUM
CEPIMUS, INGENIO EST PŒNA REPERTA MEO.[3]

[1] But this was the real state of the case, as Montrose was well aware. Archibald Johnston, in one of his secret letters from London, pending the negotiations with the Scottish Commissioners, thus writes to Lord Balmerino, 22d April 1641: 'My Lord, I perceive, from sundry hands, that both this threatening of reservation of us, and this mentioning his (the King's) intention to keep, himself, the Parliament in Scotland, is a trick of Traquair's, *by the advice of some of our own*, for to terrify us (what with our own danger by that reservation of process, and the danger of the Country by factions at home, which would grow by the King's presence), to pass from the Incendiaries.' See the extraordinary correspondence of this unscrupulous demagogue, printed from the originals preserved in the Advocates' Library, in Montrose and the Covenanters, vol. i., chap. ii.

[2] This threat must have emanated from Argyle.

[3] The part of these Answers which relate chiefly to Montrose himself, are clearly his own composition. The quotation from Ovid (see *supra*, p. 237) is in his autograph. There are three contemporary transcripts, or drafts, of these Answers in the Montrose charter-chest, which have been carefully collated for the text.

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III.

INTERROGATORIES PROPOSED BY MONTROSE AND HIS FRIENDS TO BE PUT TO WALTER STEWART, CONFRONTED WITH THEM.

Interrogatoris wherewith it may please your Lordships interrogat Levetennent Collonell Walter Stewart, being confronted with us, which is our humble desyre.

1. Item, to interrogat him whither or not he wes boasted, threatned, and minassed to depone?

2. Item, gif thair wes not much favouris, and courteasies, and frydome, promised him, the tyme of his deponeing; affirmeing, neither his lyff nor fortoune sould be in hazard?

3. Item, whither or not, efter deponeing, being commandit to sweare and subscryve the samyne, he craved twentie four houris to advysment befor oath, and wes refuissed, bot only to heare thame read?

4. Item, whither or not Sir Adame Hepburne, thane Clerk, haveing read the depositioun, the said Walter desyred the samyne sould be changed and altered in some poyntis, and that the Clerk refuissed the samyne, without the Committies advyse?

5. Item, whither or not he wes commandit be the Committie to subscryve and sweare thame as they wer, without geving way to change thame at all, but subscryve and sware thame as they wer?

6. Item, that he be urgit to declare whair he wreit these severall paperis *which falsly ar called ours;* as that paper callit the *Tablett;* and the other, wherin ar his *chyrogliphicks of Elephant, and Dromodaris,* and the lyk; and whither we knew anything of the wreitting thairof, or wer accessorie thairto?

7. That he declare gif ever we in our discoursses to him did so much as smell (besydis seime to intend) any thing whatsoever toutching ourselfes, for imployment, advancement, commoditie, or any such lyk advantages, but only the Kinges presence heir, for the publict good, by ane happie peace, by setling the Religion, Lawis, and Liberties of this Kingdome?[1]

[1] Original MS. draft or transcript, Montrose charter-chest. This equitable demand, which could only have been dictated by a perfect persuasion that Walter Stewart had been tampered

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IV.

PROTESTATIOUN.

WHEREAS we, James Erle of Montrose, Archibald Lord Napeir, Sir George Sterling of Keir, and Sir Archibald Stewart of Blackhall,—notwithstanding the many

with and concussed in the manner indicated by the interrogatories proposed, was of course not complied with. Walter Stewart appears to have been a cadet of the Earl of Traquair. In a fragment, yet extant, of that nobleman's defence (printed in Montrose and the Covenanters, vol. ii., p. 10), which carries conviction along with it, the character of this Stewart, and of his testimony, is thus commented upon.

'The *fifteenth* article charges me [Traquair] for being instigator, at least art and part, of certain treasonable plots with the Earl of Montrose, and others, for subverting the Acts of the late Parliament, and for subverting the late treaty, and for having laboured to suborn and corrupt witnesses, treasonably to have accused or surprised some of the principal nobility, as is inforced and proven by Lieutenant-Colonel Stewart's Characters, Tablets, and Depositions. And in this same article some presumptions are adduced to prove the truth, at least the probability, of these Characters, Tablets, and Depositions, and of the said Lieutenant's his ingennous and true dealing, as proceeding from remorse of conscience, and after solemn oath. The informer of my process labours much to make this appear. But if he had been no more able to take him out of the summons than to evince this point with reason, he had been in this same condition his folly, if not knavery, has left us, and for which good service he is *so well rewarded*.

'But all this great structure is built upon so sandy a foundation as the Characters, Tablets, and Depositions, made up by him *who has ever been known for a fool, or at least a timid half-witted body;* and so, if chosen by the Lord Montrose, and others, for negotiating such deep plots as are alleged in my summons, they have been wonderfully mistaken in their choice. Neither can I be persuaded that, if they had been about any such plot or plots, men of their judgment, and understanding, could have been so far mistaken as to have made use of such a weak and foolish instrument, for negotiating therein. The foundation, I say, is so slippery, that I shall not have much pain to overthrow the same, and consequently all the building, as shall easily appear by this my subsequent answer, wherein I shall truly and faithfully set down, to the best of my memory, all that past betwixt him and me, concerning any of these particulars wherewith my summons charges me.

'And first, I say, I had no hand with the Earl of Montrose and others in any plot or conspiracy. Neither, for any thing is known to me, had he or these others any such plot for reversing the Acts of the late Parliament, nor for subverting the treaty then depending. Neither yet did I corrupt, nor deal for corrupting and suborning witnesses. Neither did I receive from Captain Stewart these instructions, alleged sent to me by the Earl of Montrose, and Lord Napier, wherein, under the name of beasts and letters, as is alleged, they craved that the Offices of Estate should be kept up—that the same should not be disposed by advice of the Marquis of Hamilton—to assure the same that, Religion and Liberties being granted, he would crush all his opposers—to assure the Duke and Traquair that Montrose would take them by the hand and lead them through all difficulties. Neither did I ever acquaint his Majesty, neither

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invincebill prooffis, and convinceing testimonies of all our former cariadges, which might seime tedious to relait, and too unseiming for us to remembeer,—haveing been, upone some conceaved jealousies and conjecteurs of that kynd, imprisoned in the Castell of Edinburgh, upon the 11 Junij 1641, where we were deteined to the 17 November therefter, in a most severe way,—were, towards the beginning of our said imprisonment, cited to unerlye the law before the Parliament ensewing, upone sundrie poynts,—more largely, after the forme of imaginarie challeng (*ut quæ singula non prodessent ea multiplicata videri possent juvare*), than stringintlie, after the maner of dittayes drawin up in former tymes in this countrey,—inferring exemplarie punishment or *paradigmatising*, and not that which philosophers and lawyers call Τιμωρίαν where so long imprisonment might have seimed *satis superque pœnarum* for our faults, if any could be proven againes us, especiallie the unitie sworne in the Covenant being humanely understood, *hoc est si dolus abfuerit*. Lykeas we, by many both severall and joynt supplications, did most humbly, and with all incumbent respect, intreat the whole body and Estaits of Parliament, both before his Majestie came to the countrie, and efter his most happie arryvall, that

yet reported to the said Walter that I had acquainted his Majesty therewith. Neither had he any commission, or direction, or answer thereanent, from me. And as I believe these instructions were fancies of his own, so do I believe the *Tablet* to have been his own, which was never neither helped nor mended by me, or sent down by me. And if any answer be made thereto in his Majesty's name, it was without any warrant or direction of mine, for he had no other direction or warrant from me than these I shall express in my subsequent discourse. So if, notwithstanding of what is alleged by me anent the relevancy of this argument, it shall be found that the Captain's pretended *Instructions*, *Tablet*, and *Answers* made thereto, will infer a plot to reverse the Acts of Parliament, June 1640—to subvert the treaty—to cut off the power of Parliament in time coming—let the author and informer of these Instructions, Tablet, and Answers, be called to *his* account for the same, and censured and punished accordingly.

'As for the Captain's sending or coming to London, I knew nothing of him nor his coming until I saw him at Whitehall. Neither know I of any other letters he brought to the Duke of Lennox, from Montrose or any other person, except a letter which did import or contain nothing but a civil answer to my Lord Duke's recommendation of me and my particular. Neither did I ever give him any instructions to try out what he could find against the Marquis of Argyle, and, to the best of my memory, M'Lane's name never occurred in any discourse betwixt him and me. But, howsoever, I am most certain he had no direction, by word or writ, to try out any of my Lord Argyle's actions with the said M'Lane by the Earl of Seaforth, or any of the Clan Donald. And if at any time I have said, that so long as the Earl of Argyle was my unfriend I stood in fear to go home to Scotland, as I do not remember any such words to have escaped me, so may it easily be made appear, as it is too notorious, that there were many other reasons to induce me to apprehend the Earl of Argyle's misconceptions of my intentions against him, and of his power, than that the Earl of Argyle might conduce Highland witnesses of the Donalds and Macdonalds.'

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it would please them to cognosce upone our process, and give us and our procurators hearing, for the evidenceing of our own innocencie; which might have been done by wreit very easily, and at great leisour, without any considerable hinder to the more important bussines of the countrey, by the keeping only of dyettis, for giving in of defences, replyes, duplyes, and other answers neidfull (which affaire could not be esteimed mongst the least that might be handled in Parliament, the honors, lyves, and fortunes of those of the best condition being depending, and in what also the Estate itself was so hugely noysed to be concerned); yet notwithstanding all our most impatient earnestness, used as it may perhaps seem *tempore non satis oportuno*, some new *incidents*, as they terme them, having divers tymes fallen, our instant supplications and prayers were never yet heard; while, at the concluding of the Parliament it was enacted that your Lordships should cognosce not only upon our process, but also upon uthers muoh longer againest the *Incendiaries;* and yet within two months space and less, viz., from the fourt of January to the first of March exclusive, in this instant year 1642 (where one nobleman, not long since pannelled, had a longer tyme for discussing the dittay libelled against him, notwithstanding the violence of his parties, and secret accusers of great power, for the tyme, *nam nulla unquam de morte homines*, &c.), yet wer we, in respect of these processes first begun againest the Incendiaries, and be reasoun of many of your Lordships number ther great and more weightie imployments for the Publict than what doeth concern us (of whome it may be said in regaird to the commoun Caus, without arrogatting any thing to ourselves, *et quorum pars magna fuimus*, tho we may as justly avow, *hoc pretium vitæ, vigilatorumque laborum, cepimus*), wer we (do we say) only cited to the twenty seventh day of January. And I the said Earl of Montrose, being absent in Angus, verie unweill in my health, in very stormie and tempestuous weather, we the other three got bot to the 4 day of Februarij to answer to our dittay; and at the arrivall of me, the said Erle of Montrose, had only allowed one free day to give in my defences; for appeiring upone the Fryday at night, wer ordainit to find ourselves agayne upon the Monday insewing (the Sabboth, sure, not being assigned to us for ane idle day); which lybells, made upe of so many sheatts of paper, in respect of the hudge rhapsodies of those *quisquilias volantes et venti spolia*,[1] wer answerit be us in two or three

[1] *Sic* orig. But *Facciolati* gives a different reading of the quotation. Among other more learned explanations of *quisquilia* he has,—'*Quisquiliæ*, the sweepings of a house, the offscouring or refuse of any thing, rubbish, riffraff, recrement; *Cæcil.* apud *Fest.* Quisquilias, volantis venti spolia, memoras.' *Lexicon Latinum.*

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sheatts at the most; and yet these replyes were keipit at least ane fortnight from us; and, tho given in and showne in judgement, yet not delyvered unto us during that tyme, the procurators for the Estates being ever *in mora*, not only in that, but everie thing besydes; as in ressaving of witnesses, and swearing them; and efter, not urging thair examination but passing frae them (as, namely, my Lord Elcho, who efter oath gevin was not admitted to declare, to the end that he might ever keep up some depositions), unto the last day never concluding thair probation, and excluding us by tyme from our lawful defences, of re-examination and confronting, the witnesses haveing perhaps gone out of the toune. We, thairfore, Johne Earle of Montrose, Archibald Lord Napeir, the lairds of Keir and Blackhall, in respect of the premisses, and our diligent cariadges to give all satisfactione to the most honorabill meitting of the Estates of Parliament, and to your Lordships from thame, to the end that no wrinkle, or least shadow of blemish remayne upon us in this behalf, do here protest that we are free and exonered of all suspicion of delay that may be thought castin in be us why the process intentit againes us hath not tane or may not tak a full end; and that we are, and may be holden, in the samen termes and condition as of before our charge, or as any of our qualitie, or equals within this Kingdome, in all regards whatsumever.[1]

[1] Collated from two drafts in the Montrose charter-chest. Among the Wigton papers, ably edited by Mr Dennistoun from the Cumbernauld charter-chest, for the Miscellany of the Maitland Club, will be found another edition of this protest, somewhat different from the above, and not so learned, but better digested, and more forcible and indignant; it is dated, last day of February, 1642. The learned quotations in the above would seem to have emanated from Montrose, as that from Ovid, commencing with *hoc prætium vitæ*, was formerly added in his own hand-writing to his reply to the libel against him. See *supra*, p. 362.

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V.

DRAFT OF THE ROYAL SIGNATURE COMMANDING LETTERS OF EXONERATION UNDER THE GREAT SEAL IN FAVOR OF MONTROSE, NAPIER, SIR GEORGE STIRLING OF KEIR, AND SIR ARCHIBALD STEWART OF BLACKHALL.

OURE Soverane Lord ordains ane letter to be made under his Majesties Great Seall of the Kingdome of Scotland, to and in favoures of his Hieness right traist cousigne James Erle of Montroise Lord Graham and Mugdock, and of his Hieness right traist cousigne Archibald Lord Naper of Merchistoune, and of his Hieness lovits Sir Gorge Stirling of Kêir, and Sir Archibald Stewart of Blackhall, Knights, make- and mentioune, that, forsameikle as his Hieness said right traist cousignes, and the said Sir George Stirling and Sir Archibald Stewart wer endyted and accused before his Majestie and the Estates of Parliament as guiltie of dyvers crymes conteined in the severall dittayes lybellit against thame *respectivè:* Lykeas be the thirtie three act of his Majesties late Parliament in November 1641, the Estates thereof, considdering that there was ane dependance of the saids accusatiouns against thame before the said Parliament, and taking to your consideratioune his Majesties gracious goodness towards his native Kingdome, and his fatherlie care and wisdome in composeing all past differences, and provydeing for the future, to the great joy and happieness of all his subjects, in retributioune thereof, with ane unanimous consent, to testifie your high respect and thankfulness to his Majestie, and that his Majestie might returne joyfullie *a contented Prince from a contented People,* for setling his royall effairs in his other dominions, believing that the samen would be acceptable to his Majestie, and conduceable for the peace and good of the Kingdome,—Declared, that, for acquitting thameselves of their oath they would onlie prove to the exact tryell of the saids parties, be a Committee to be appoynted be the King and Parliament, in respect of the necessitie of their other effairs; and efter tryell sould be taken of the said persones, the Parliament declaired that they would not proceed to ane final sentence, nor insist upon the punishment of the saids persones, bot that they did remitt thame freelie to his Majestie for the reasoun forsaid, as the said Act at mair length bears: Lykeas, be the thirtie four Act of the said Parliament, in November 1641, his Majestie and the Estates of Parliament grantit a Commissioune to the persones mentioned in the samen, or to the quorum

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of thame appoynted be the said Act to proceed to the cognitioune and tryell of the crymes conteinit in the said dittayes *respectivè*, and to the discussing of the relevancie of the samen, and to the receaving of all lawfull probatioune, and to all and sundrie other things for the exact tryell of the saids persones, without pronouncing of any sentence against thame, being discharged expresslie be the said Act to proceed to any decisioune, or to pronounce any sentence convictive against thame,—Quhilks Commissionars were appoynted to meitt the fourt day of February last bypast, as the first dyet of their meitting, and to finish the process and tryell of the said persones before the first day of March therefter: Conforme to the quhilk Act the said Commissioners therin mentionat, be vertue of the power and Commissioune grantit to thame, haveing cited before them the said Erle of Montrose, Archibald Lord Naper, Sir George Stirling of Keir, and Sir Archibald Stewart of Blackhall, knights, and they haveing offered themselves readie to justifie their actiouns and cariage in the particulars lybellit against them *respectivè;* and to that effect haveing appeared at all the dyets of the process with their Advocats, and haveing given their answers and defences, *in jure et in facto*, the saids Commissioners hes proceedit in the said process and tryell, until their Commissioune expired, the first day of March now bygane being appoynted be the said Act to be the final period of the said process, and hes made report to his Majestie concerning the relevancie of the said dittays *respectivè*, and how far they have found the samen proven, sua that there rests nothing bot that his Majestie, conforme to the said Act of Parliament, whereby the said Erle of Montrose, Lord Naper, Sir George Stirling, and Sir Archibald Stewart, is remitted to his Majestie be the Estates efter tryell, sould declaire his royall pleasure anent them:

Thairfor our said Soverane Lord haveing taken to his royall consideratioun, that, befoir and in the tyme of these late distractiouns, in the survey of the lyff of the said James Erle of Montrose, Archibald Lord Naper, Sir George Stirling of Keir, and Sir Archibald Stewart of Blackhall, knights, and in the haill course of thair actiounes, nothing can be found which can rubb the leist aspersioun upon thame, much less the presumtioun of guilt of so many haynous crymes, so unworthie of thame, and the honour of so many ancient families, which hes been transmitted pure and unstained through so many descents to thame, being born to be the heads of the same: And withal considdering that in the tyme of publict commotiounes and unhappie distractiounes, in regaird of the great interest all men hes in either syd, the distractioun of subjects in thair judgment, affectioun, and practise, hes ever been ordinarie, and thought excuseable, and in end hes been

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buried in oblivioune: Nevertheless such hes been the constant zeale of the said James Erle of Montrose, Archibald Lord Naper, Sir George Stirling of Keir, and Sir Archibald Stewart of Blackhall, knights, for the Religion established, and the Liberties of thair Countrie,—that when they conceavit the same to be concerned, laying aside all respects, they devoted thair pains, means, and lyves for manteining the same: And haveing taken in his royall consideratioun special notice of the particulars wherwith they ar charged in thair several dittayes *respective*, and haveing found that the particulars, whereupon our said right traist cousigne, James Erle of Montrose is challengit, of divisive motiouns and practises, and having likwayes considerit that the other particulars wherwith our said right traist cousigne James Erle of Montrose is chargit, being lybelled to have been done be him a long tyme before he was callit in questioun, was such as at the tyme of the doeing of the samen was neither conceavit to be crymes, nor resented to be inconsistent with his oathes and the trust reposed in him,—but be the contrair, the said right traist cousigne James Erle of Montrose was entrusted and honored with new and greater employments:[1] And farder haveing seriously pondered the other particulars conteined in the said James Erle of Montrose his dittay, and the several dittayes of the said Lord Naper, Sir George Stirling of Keir, and Sir Archibald Stewart of Blackhall, whereupon a joynt accessioune to a pretendit Plott, and practiseing against the Countrie, is inferred against them all; and haveing taken notice that the severall dittayes anent the samen is foundit upon the singular [single] testimonie of one Lieutenant Colonell Walter Stewart, a man in all respects far beneath thame in qualitie and credite; and therfore too weak and base, and in effect no ground to susteine so many dittayes conteining so heavie crymes and inferences against men of their qualitie, speciallie seing the samen is weighed doune by the consonant declaratiouns of the said James Erle of Montrose, Archibald Lord Naper, Sir George Stirling of Keir, and Sir Archibald Stewart of Blackhall, knights, and that the said Lieutenent Colonell Walter Stewart, in all his depositiounes has given pregnant testimony of the forsaid persones thair zeall and affectioun to thair Countrie, and for the preservatioun of the Reli-

[1] Montrose was quite undisguised in his opposition to the rapid march of democracy, and had braved the dangerous enmity of Argyle and his coadjutors, by arguing against them in the Parliaments of 1639 and 1640, prior to his being put in command of part of the Covenanting army which crossed the Borders in the autumn of that year. It was thought that by investing him with this command, a formidable opponent would be committed to all their treasons. But Montrose determined to act in conformity with the letter and professions of the original Covenant.

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gion, Laws, and Liberties of the samen, and for mainteining of his Majesties royall authoritie, and that nothing was spoken be thame to the prejudice of the samen, bot be the contrair the establisheing and granting of the samen was supposed and laid doune be thame as the onlie solid ground wherupon ane firm and happie peace could be foundit:—

For these and other considderatiouns, and in regaird, be the 34 Act of the last Sessioun of the late Parliament, it is declaired be the Estates that they will not insist upon the punishment of the said persones, but that they did freelie remitt thame to his Majestie, believing that the samen would be acceptable to his Majestie, and conduceable to the peace of the Kingdome, wherby it is evident that they neither desyrit nor conceavit that his Majestie would proceed to any sentence convictive against the said persones: And be ane article of the treattie betwixt his Majestie and the people of Scotland, and betwixt the two Kingdomes, concerning ane Act of Oblivioune, which is ratified be the sext Act of the late Parliament in Junij 1641, it is declaired that the benefite of the act of pacificatioune and oblivioune sall onlie be denyed to such as salbe found extraordinarlie guiltie of the crymes mentionat in the said article; it is therefore his Majesties royal pleasure to declaire that whatever be found which may be conceavit to tend, in consequence, to divisioune or practiseing against the Cuntrie, or to import any of the crimes lybellit against thame in the several dittayes *respective*, his Majestie notwithstanding is persuadit in his royal judgement of the sinceritie and candor of their intentiouns, and that nothing escaped them, in the particulars lybellit against his Majestie or the Estates of Parliament, and weale and peace of the Kingdome: And therfore, our Soverane Lord, as he is throughlie persuadit of the innocencie of their actions, so in his royal goodness, *and from his certaine knowledg*,[1] he declairs that in regaird of the samyne they deserve to be, and is, free of all censure and punishment for any of the particulars lybellit in their severall dittayes, and wherin they ar found or may be found to be overtaken: And his royal will and pleasure is that they be free of all aspersiouns in the opinioune of the world, and in the memorie of this present or future ages, and that they enjoy as absolute freedome and integritie in their persones, names, and reputatioune, estates, dignities, honors, and privileges, as if none of the particulars lybellit had beene lybellit, or found against them, or they had never been challengit or accused for the samen:—

[1] The words printed in italics form in the MS. a marginal addition in the handwriting of Montrose himself. There are other corrections and interlineations in the handwriting of Lord Napier.

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And his Majestie hes ordainit that the said Letters be farder extendit in the best forme, with all clauses necessary, and that precepts be direct hereupon ordourlie in forme as effeirs. And our said Soveraine Lord ordaines the samen to be wreittin to his Hieness Great Seall, and to be past his Hieness Great Seall without passing and expeding thereof throw the remanent of his Majesties Registers and Sealls, and ordains thir presents to be ane sufficient warrand to the Director of his Hieness Chancellarie, and wreiters to his Hieness Great Seall, to wreitt the samen to his Hieness Great Seall, and also to his Hieness Chancellar, and Keeper of his Hieness Great Seall, to append his Hieness Great Seall thereto, without passing the samen throw the remanent of his Hieness Registers and Sealls, as said is. Given at the day of 1642.[1]

[1] This draft is among the papers in the Montrose charter-chest. Most probably the Great Seal was never applied to it, as that was held by Montrose's bitter enemy, Loudon, the same who passed sentence of death upon him in terms so abusive as to disgrace his office. But the document is important, as affording a narrative, which, in combination with the preceding documents, must carry conviction along with it, and destroy whatever credit a most imperfect knowledge of these tyrannical and dishonest proceedings may have obtained in history.

The mystical papers found in possession of Walter Stewart, with his false and extorted explanation of them, are among the Wodrow MSS. in the Advocates' Library. But as they are engrossed *verbatim* in the libel against Montrose (see *supra*, pp. 332-337), and are also printed and fully illustrated in 'Montrose and the Covenanters' (vol. i., pp. 452-467), it was thought unnecessary to repeat them here.

END OF VOLUME FIRST.

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